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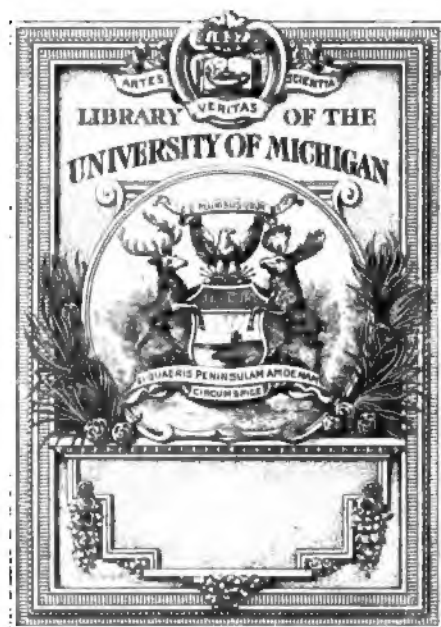
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THE  
PARLIAMENTARY DEBATES  
AUTHORISED EDITION.

FOURTH SERIES:

COMMENCING WITH THE SECOND SESSION OF THE TWENTY-FIFTH PARLIAMENT  
OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

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57 VICTORIÆ.

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VOLUME XVI.

COMPRISING THE PERIOD FROM  
THE ELEVENTH DAY OF AUGUST  
TO  
THE FOURTH DAY OF SEPTEMBER,  
1893.

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EYRE AND SPOTTISWOODE,  
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1893.





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35, 36 37, 76, 92

# THE PARLIAMENTARY DEBATES

(Authorised Edition)

IN THE  
SECOND SESSION OF THE TWENTY-FIFTH PARLIAMENT OF  
THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND  
APPOINTED TO MEET 4 AUGUST 1892, IN THE FIFTY-SIXTH YEAR OF  
THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

NINTH VOLUME OF SESSION 1893.

HOUSE OF COMMONS,

*Friday, 11th August 1893.*

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL (GENERAL  
POWERS) BILL.

Lords Reason for insisting on certain of their Amendments to which this House had disagreed, and Lords Amendments to Commons Amendments to Lords Amendments considered.

\*MR. SNAPE (Lancashire, S.E., Heywood) said, he had put down certain Notices of Motion with reference to the Lords Amendments which, however, he would not move, as he did not wish to jeopardise the Bill; but he would like to take the opportunity of saying a few words. He was a Member of the Select Committee which considered this Bill, and the Committee came unanimously to the conclusion that a larger number of representatives than those approved in the Lords Amendments should have been

given to the London County Council upon the Thames Conservancy Board. The Members of the Committee also came to the unanimous conclusion that there should be an addition to the representation upon the Lea Conservancy Board of two other members. He regretted that when such a decision had been arrived at, after many days of patient investigation, and been confirmed by that House, it should then have been altered by the other House. He could not understand on what grounds the reduction in the number of representatives was made: for the conviction was forced upon him that, instead of the number to which the Committee agreed being too many, it was inadequate. The number was only consented to by the Select Committee in the expectation that at some future date there would be a re-constitution of the Thames Conservancy Board, when a larger number of representatives would be given to the London County Council.

MR. BENN (Tower Hamlets, St. George's) did not intend to persevere with the Motion which he had placed upon the Paper for the rejection of the Lords

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**Amendments.** As representing an East End constituency, however, he felt bound to say that the decision of the Lords, with regard to the River Lea, was of a most disappointing and discouraging character. He would remind the House that the late President of the Local Government Board (Mr. Ritchie) said—

“If there is one river which the London people are more concerned about with regard to its purity than any other it is the River Lea. The London Council have already got a representation of one; and looking to the fact that the Committee of the House of Commons has considered that that representation ought to be increased from one to two, I shall certainly support the clause.”

Again, the present Attorney General (Sir C. Russell) said—

“I do not know a more disgraceful history than the history of the River Lea, and I am satisfied that if the Council had had a share in the control of the river, and possessed representatives who were directly interested in maintaining the purity of the Lea, it would not have been reduced to the shocking position which it has occupied of late years in the lower parts of the river.”

He (Mr. Benn) must say that when the Bill left this House with a view to some sort of a compromise, he certainly expected the compromise would extend to the River Lea as well as the Thames Conservancy. The compromise with regard to the Thames Conservancy was disappointing enough, but he regarded the rejection of the Lea clause as a very great grievance. The Committee were unanimous in their decision that two representatives should be given to the River Lea. He thought, therefore, the question of the Lea should be considered an open one, and he hoped next year they should have an opportunity of re-considering the whole question.

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.) desired to say a few words not as representing the Government, but as, in some sense, representing both sides of the House, inasmuch as on the Debate that took place a fortnight or three weeks ago he had a good deal to do with, and was to a great extent responsible for, the compromise to which the hon. Member had just now referred. The House would recollect that the position of the matter was this: A Committee of the House decided—he thought very properly—that there should be four representatives

*Mr. Benn*

of the London County Council upon the Thames Conservancy. The House of Lords were of opinion that that alteration should not be made without a preliminary inquiry into the whole question, and that the matter should be postponed for that purpose. The Lords sent the Bill back to this House with the clause struck out, and, of course, if that Amendment had been assented to the London County Council would have had no representation whatever on the Thames Conservancy. A Debate arose in this House, and, as a result of that Debate, the representatives of the London County Council declared that they were quite willing that the great riparian counties should have representation on the Thames Conservancy Board as well as themselves, and the great riparian counties who had previously opposed the action of the London County Council said that they were quite willing that the London County Council should have representation if they also were allowed representation on the Board. In that state of affairs, when the Bill was last under discussion, he ventured to submit to the House that it was possible to meet both these views by means of a compromise. He did not disguise from the House that there was some technical difficulty in carrying out that plan. The House dissented from the Lords Amendments with the hope that some compromise might be arrived at. He need hardly say that as between two Houses of Parliament as well as between two Parties compromise meant concessions on both sides—one side could not have its way. When the authorities of the House of Lords, with whom he was brought in contact to discuss this question, met to go through the various points, there was no feeling of irritation because of the action this House had taken, nor any indisposition to meet the views of either the London County Council or the riparian counties. But they were met with difficulties of a technical character affecting the proceedings of the House; and he believed that, in accordance with the Rules and Orders, it would not have been practicable to have added more than seven members this year to the Thames Conservancy. The four principal riparian counties desired to have one representative each, and, that being so, he was responsible for



the suggestion that, in order to meet the view of the riparian counties, the London County Council should be content for the present with three instead of four representatives. The House of Commons said give four members; the House of Lords said give none; the compromise was three, and three was the number agreed upon by those who represented the House of Lords——

SIR W. HART DYKE (Kent, Dartford): Is there not a statutable objection to increasing the number?

MR. H. H. FOWLER said that, if the House of Lords had pressed certain technical objections which no doubt existed, he was afraid this provision could not have been put in, but the House of Lords waived these technical objections in order to carry out the compromise. The whole thing was regarded as provisional, and was only for a period of three years. A clause was inserted in this Bill making it compulsory on the Thames Conservancy Authority to come to Parliament next year, when the whole question of the rights of the London County Council and of the riparian counties would be considered, and then his right hon. Friend the President of the Board of Trade would have to say a word or two in the public interests. The Thames Conservancy Authorities, as he had said, were to come forward next year with a Bill, and if they omitted to do so the London County Council were empowered to come forward and promote a Bill. As to the non-extension of the representation on the Conservancy Board of the Lea, the hon. Member would recollect this was not parallel with the Thames Conservancy. There was no representation of the London County Council on the Thames Conservancy; there was a representation of one member on the Lea Conservancy; and although he quite admitted there should be an increase, the House of Lords were of opinion that the question should not be altered until there had been an inquiry into the whole question of the Conservancy of the River Lea. There, again, he thought it was necessary such an inquiry should take place. He could only say, in conclusion, that he did the best he could. He was very sorry he had not given satisfaction to the hon. Member (Mr. Benn) and some other

hon. Members, who thought that a better arrangement ought to have been made with the House of Lords. As he had said, he did his best, and he could only regret the matter was not placed in somebody else's hands, who might have done better.

LORD G. HAMILTON (Middlesex, Ealing) said that, speaking on behalf of one of the counties interested in this matter, he was bound to say that he was satisfied with the way the right hon. Gentleman had undertaken the part which he promised to take on the last occasion this question was before the House. At that time there was no objection on the part of the County Councils outside London to the London County Council having representation on the Thames Conservancy; but the objection was that this representation was to be given to the London County Council in such a way as might give the go-by to the just claims of other counties. He was doubtful then that the right hon. Gentleman would be able to carry out all they wished; but he thought the arrangement which he had made was a good and legitimate compromise; and, so far as the County of Middlesex were concerned, they felt indebted to the right hon. Gentleman. He hoped this compromise would get rid of any suspicion or irritation which might otherwise have existed between the London County Council and the other County Councils concerned, all of whom, he hoped, would now be able to work together in harmony.

MR. BARTLEY (Islington, N.) thought it was a pity the first two speeches should have been made, because in this compromise—effected largely by the present Government—the other House had done a great deal to make it much fairer than it otherwise would have been. The hon. Members made their speeches, and then had not the courage of their opinions to move the Resolution which they had placed on the Paper. The action of the House of Lords had been to make this a workable scheme, and it should be distinctly known that their efforts had been directed towards securing such an object so desirable in the interests of the public.

SIR J. LUBBOCK (London University), as the Member in charge of the Bill, desired on behalf of the London

County Council to thank the President of the Local Government Board for his assistance in the matter. He hoped the representatives of the riparian counties would feel that the London County Council had done what it could to secure representation for them also. As regards the remarks of the hon. Member for Islington (Mr. Bartley), he wished to observe that the Amendment disagreeing with the action of the Lords was not put down on behalf of the London County Council. At the same time, no one could wonder that the hon. Member for St. George's-in-the-East (Mr. Benn) objected on behalf of his constituents, who were so much interested in the Lea. He hoped another year the matter might be re-considered; but, having regard to the technical difficulties, he was glad that his hon. Friend did not intend at present to press his objection, and he desired to acknowledge the conciliatory spirit in which they had been met by the other House.

SIR R. TEMPLE (Surrey, Kingston), as one of the few Surrey Members in the House at that moment, desired to say that, so far as he could judge, this arrangement seemed fair to the riparian county, in the representation of which he had the honour of having a share.

Lords Amendments to Commons  
Amendments to Lords Amendments  
agreed to.

### QUESTIONS.

#### THE POSSESSION OF ARMS IN IRELAND.

MR. DANE (Fermanagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can now say whether it is the intention of the Government to re-enact during the present Session of Parliament the Act of 1881 regulating the carrying and possession of arms in Ireland, which expires with the present year?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): This matter is under consideration.

#### LEAVE FOR BELFAST WORKHOUSE OFFICIALS.

MR. MAINS (Donegal, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the atten-

*Sir J. Lubbock*

tion of the Local Government Board has been drawn to the fact that the Chairman of the Belfast Board of Guardians, at a recent meeting of that Body, brought before them a Report, founded on his own personal experience and inquiry from the books of the workhouse, that the master, accompanied by an officer named Wilson, were absent from their duties without leave from 3rd to 6th May, from 12th to 15th May, and on 17th and 18th May, 1893; whether the matron was on leave at the same time; whether he is aware that the assistant master Ball stated to the Chairman that the master was only absent a short time, when in fact he was absent for days; whether an inquiry will now be ordered to ascertain the relationship or collusion between this workhouse master and his subordinates, as to their general trustworthiness and veracity, and also with a view to eliciting why such serious misconduct and neglect of duty was not entered on the minutes of the proceedings of the Belfast Board of Guardians, and why no punishment was meted out to either of these officers?

MR. J. MORLEY: (1 and 2.) The absence of the master for about 28 hours on the 17th and 18th May was referred to at a recent meeting of the Guardians, but there was no reference at this or any other meeting to the master's absence on the other dates mentioned. Mr. Wilson was absent at the same time, having previously obtained permission from the master, and the matron left the workhouse on the 18th with the approval of the Board of Guardians. (3.) The assistant master states he was asked by the Chairman whether he knew of the whereabouts of the master, and replied that he did not. (4.) The Guardians having since expressed their desire that the matron and assistant master should be in the workhouse during the master's absence, no further cause of complaint is expected to arise in this respect, and the Local Government Board, under the circumstances, do not think the matter calls for further inquiry on their part.

#### THE LOSS OF THE "VICTORIA."

MR. HANBURY (Preston): I beg to ask the Secretary to the Admiralty whether it is intended to take a Supplementary Estimate in order to replace as

soon as possible the first-class battle-ship *Victoria* ?

\*THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe) : It is not thought necessary at present to take any special steps to replace the *Victoria* otherwise than by pressing on the completion of the battle-ships which are already building.

MR. HANBURY : But these battle-ships were not intended to replace the *Victoria*. Do I understand that the Admiralty have deliberately decided to lose a whole year before endeavouring to replace this valuable vessel ?

\*SIR U. KAY-SHUTTLEWORTH : The hon. Member seems not to be aware that the Mediterranean Fleet, and indeed all our squadrons, are at their full strength. The British Fleet has not such a narrow margin as to render it necessary to rush into the construction of a new vessel immediately on the loss of one ship.

\*MR. GIBSON BOWLES (Lynn Regis) : As the right hon. Gentleman states that our fleets are at their full complement, will he inform the House what vessels have replaced the *Sultan*, the *Howe*, the *Camperdown*, and the *Warspite* in the fleets of which they formed a part ?

\*SIR U. KAY-SHUTTLEWORTH : I cannot, of course, answer such a question at a moment's notice, but I may say that another vessel has replaced the *Warspite* as flagship on the Pacific Station, and that each of the other ships named has been similarly replaced.

#### THE FORTIFICATIONS OF RANGOON.

MR. HANBURY : I beg to ask the Under Secretary of State for India whether it is the fact that the heavy guns ordered for the fortifications of Rangoon, and which have been lying on the wharf for some months, are not to be mounted at Rangoon, but sent to some other port ; and, if so, whether it is intended to replace them by other guns, or to leave Rangoon without land defences ?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.) : Only two 10-inch guns were ordered for the Rangoon defences ;

of these one is now there, but will be removed, no doubt, shortly ; the other is at Bombay in reserve. The Government of India decided last year that guns of this calibre were not required for Rangoon, the defence of which was sufficiently provided for by the remainder of the armament fixed for that port. These two 10-inch guns constitute only a portion of the defences.

SIR R. TEMPLE (Surrey, Kingston) : Will the hon. Gentleman assure the House that Rangoon has got proper land defences ?

\*MR. G. RUSSELL : I believe I can assure the hon. Baronet, and the House generally, that Rangoon is adequately defended. If it will be any satisfaction to my hon. Friend to have more precise information on the point, I shall be happy to place at his disposal what information we have.

#### THE POST OFFICE AND THE NATIONAL TELEPHONE COMPANY.

CAPTAIN BAGOT (Westmoreland, Kendal) : I beg to ask the Postmaster General if there is any clause in the proposed agreement between the Post Office and the National Telephone Company, which will permit that company to put telephone wires or tubes under the streets within the County Council area in London, or under the streets of any other town ; or if there is any clause by which the Post Office agrees to lay telephone tubes or wires, with the view of afterwards renting the use of the same to the National Telephone Company for telephone purposes ; and whether either could be done without the consent of the County Council or Municipal Authority ?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.) : I must refer the hon. and gallant Member to my reply to a question on the same subject on the 31st ultimo. The powers to place telephone wires or tubes underground, either in London or other towns, are regulated by Statute, and are in all cases subject to the consent of the Local Authorities with an appeal in certain cases to a Police or Stipendiary Magistrate or County Court Judge, and a further appeal to the Railway Commissioners.



## WEST CORK TRAIN SERVICE.

MR. E. BARRY (Cork Co., S.): I beg to ask the President of the Board of Trade whether he is aware that the train service in West Cork is inadequate and insufficient to meet the requirements of that extensive and populous district; and whether, in view of the existing defective postal service in West Cork, he will compel the Railway Directors to give such train accommodation as would facilitate the Postmaster General in improving the present defective postal arrangements?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): Complaints have been made with regard to the train service in this district; and if I receive some specific statement from the inhabitants of the increased facilities they require, I will use my good offices with the Railway Company on their behalf. The question of the postal arrangements is one for my right hon. Friend the Postmaster General.

## RAILWAY SERVICE BETWEEN CHARING CROSS AND LONDON BRIDGE.

MR. BARROW (Southwark, Bermondsey): I beg to ask the President of the Board of Trade whether he can state what was the average time occupied by the South Eastern Railway trains that entered Cannon Street Station in completing the journey between Charing Cross and London Bridge Stations and *vice versa* (a distance of less than two miles) during the month of July last?

MR. MUNDELLA: I am informed by the South Eastern Railway Company that the average time taken throughout the month of July by all trains from Charing Cross to London Bridge calling at Cannon Street and *vice versa* was 17 minutes. The Company state that on the 6th July the traffic was considerably disorganised owing to the Royal Wedding, and that on Saturdays the trains were delayed by heavy excursion traffic. I shall be happy to show the hon. Member the statement the Board of Trade have received from the company.

## POSTAL DEFECTS IN WEST CORK.

MR. E. BARRY: I beg to ask the Postmaster General whether he is aware

that owing to the defective postal arrangements in West Cork a letter posted in Glandore for Rosscarbery, a distance of four miles, is taken a round of 106 miles before being delivered in Rosscarbery; and whether he will take any steps to remedy this extraordinary and anomalous state of things?

MR. A. MORLEY: The two places mentioned by the hon. Member are served from separate post towns—namely, Skibbereen and Bandon; and the communication between them is necessarily circuitous. But the postal arrangements are not defective, inasmuch as a letter posted at Glandore up to 4.20 p.m. is delivered early next morning at Rosscarbery. The local correspondence would not admit of a special direct communication being established between Rosscarbery and Glandore.

## SCOTCH SCHOOL TEACHERS' GRIEVANCES.

MR. MACFARLANE (Argyll): I beg to ask the Secretary for Scotland if his attention has been called to the grievance of school teachers in Scotland who are liable to dismissal by Local Boards without appeal; and whether he proposes to take any steps to remedy the possibility of harsh and unjust treatment?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): The School Boards are primarily responsible for the efficiency of the schools under their charge, and that responsibility necessarily involves the power of dismissing teachers, nor does any appeal which has been suggested appear likely to work satisfactorily. The Public Schools (Scotland) Teachers' Act, 1882, imposed a course of procedure which, to a certain extent, protects teachers against capricious action by certain safeguards which do not exist in England; but, while prepared to consider any proposals, I cannot pledge the Government to legislation on the subject.

MR. MACFARLANE: I only wish to know if it is possible for the Education Department in Scotland to exercise

a power of appeal in any cases of harsh treatment by School Boards?

**SIR G. TREVELYAN**: I am afraid that the same latitude in these matters must be given to School Boards as is allowed to managers of voluntary schools and to all who are responsible for the education of children.

#### FOREIGN JOINERY.

**MR. BROMLEY DAVENPORT** (Cheshire, Macclesfield): I beg to ask the President of the Board of Trade whether he has any reason to believe that in the case of imported foreign joinery the mark imposed under the Merchandise Marks Act is frequently planed out; and, if so, whether he can devise any means for preventing such an evasion of the Act of Parliament?

**MR. MUNDELLA**: Neither the Board of Trade nor the Commissioners of Customs, whom I have consulted, have received any information upon this subject. If any evidence as to the fraudulent sale of such goods is brought to my notice it shall be carefully considered. There is no obligation to mark these or any other goods.

#### BANGOR HARBOUR WORKS.

**MR. M'CARTAN** (Down, S.): I beg to ask the Secretary to the Treasury whether he will state what is the amount of loan which has been applied for by Mr. R. E. Ward for making harbour works and other improvements in Bangor, County Down; what is the date of the first application made by Mr. Ward in respect of the same; whether he can give the estimated value of the security offered, and explain the cause of delay in advancing the loan; and whether he is aware of the great advantage the people of Belfast and Bangor would gain by the proposed improvements?

**\*THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): I have not had time to obtain the particulars asked for by the hon. Member, but I think it may be sufficient at present to say that the Public Works Loan Board are waiting for the applicant to make out his title to the property offered as security.

#### THE NAVY ESTIMATES.

**LORD G. HAMILTON** (Middlesex, Ealing): I beg to ask the Financial Secretary to the Admiralty when it is proposed to resume the discussion on Navy Estimates; and when the Bill will be introduced to give legality to the expenditure upon the dockyard-built ships above the sum fixed by the Naval Defence Act?

**\*SIR U. KAY-SHUTTLEWORTH**: We hope to proceed with Navy Estimates immediately after the Government of Ireland Bill. A Bill amending the Naval Defence Act has been drafted, and will be introduced as soon as possible.

**MR. HANBURY**: Does that mean after the Third Reading of the Irish Bill?

**\*SIR U. KAY-SHUTTLEWORTH**: That depends on circumstances.

#### SLAVE TRADE IN THE GULF OF SYDRA.

**MR. SNAPE** (Lancashire, S.E., Heywood): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any objection to lay upon the Table of the House the last Report received from Her Britannic Majesty's Consul at Ben Gazi, in the Gulf of Sydra, on the north coast of Africa, relative to the Slave Trade carried on from that and other adjacent ports?

**\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): There is no objection, and the Report will be laid.

#### SLAVES AND AGRICULTURAL LABOUR IN EGYPT.

**MR. S. SMITH** (Flintshire): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to an account of an interview with Sir C. C. Scott-Moncrieff, published in *The Pall Mall Gazette* on 16th June, in which it was stated that, in Egypt in 1884, the rich landed proprietors always managed somehow or other to get their slaves and retainers exempted from service upon the corvée; whether this statement that slaves were employed in agricultural labour in Egypt after the

British occupation is accurate ; and whether slaves are now employed ?

SIR E. GREY : The Slave Trade is illegal in Egypt, and is rigorously punished, but the possession of slaves in the country is not illegal. Slaves have, however, a right to claim their freedom on application to the Manumission Office, and as from time to time they continue to do so, and fresh slaves are not being imported, slavery is dying out. The owners of slaves employ them on agricultural as on domestic work.

#### SAILORS' LOSSES BY SHIPWRECK.

MR. ROSS (Londonderry) : I beg to ask the Secretary to the Admiralty if the Admiralty have any power to make allowances to the officers and men of the *Victoria* to compensate them for private property lost in the ship ?

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee) : The Admiralty have no power to give compensation, except for the loss of necessary articles of clothing or equipment, or for books, instruments, and tools used in connection with the duties of officers and men on board ship. As I informed the hon. Member for Devonport on 25th July, every survivor of the *Victoria* is entitled to have all loss of kit (which includes clothing) made good to him, either by fresh articles being issued free of charge, or by money compensation.

#### SCATTERY ROADSTEAD.

MR. MAGUIRE (Clare, W.) : I beg to ask the Secretary to the Admiralty whether his attention has been directed to the advantages afforded by Scattery Roadstead as a station for war-ships ; and if he will consider the propriety of placing there Her Majesty's ship which is about to be sent to the Shannon ?

SIR U. KAY-SHUTTLEWORTH : Yes, Sir ; attention has been called to this and several other suggestions. But it is not at present intended to alter the stations of Her Majesty's ships on the coast of Ireland.

#### VOTES FOR THE NAVY.

MR. TOMLINSON (Preston) : I beg to ask the Secretary to the Admiralty if the money already granted for this year's Naval expenditure, £5,024,000, will be sufficient to meet the requirements of the

*Mr. S. Smith*

Service beyond the 15th August ; and, if so, how long beyond that date ; and will he put the Estimates down for consideration in ample time to allow a full discussion, and avoid having to prefer or claim urgency for the Votes on the grounds of the necessities of the Service ?

SIR U. KAY-SHUTTLEWORTH : So far as can be foreseen, our present resources will carry us beyond the time, when we hope to proceed, as I have today announced, with Navy Estimates. Whether the "ample time for full discussion" desired by my hon. Friend will then remain depends mainly upon him and other Members of the Opposition, and on the amount of time which they may expend on the business that has to be dealt with before the Navy Estimates are reached.

MR. TOMLINSON : Then are we to understand that adequate discussion upon one part of the business of the nation is to depend on the time taken up by other important business ?

\*SIR U. KAY-SHUTTLEWORTH : I take it that that is always the case in the House of Commons.

SIR J. GORST : I understood the right hon. Gentleman to say the Navy Estimates are to be taken immediately after the Irish Bill. Now he indicates that other Government business may be interposed. What does he mean ?

\*SIR U. KAY-SHUTTLEWORTH : The business to which I referred was the Government of Ireland Bill.

#### WEATHER FORECASTS.

MR. STRACHEY (Somerset, S.) : I beg to ask the President of the Board of Agriculture whether he will try in the West of England, as he is doing in the North and East of England, the experiment of having the weather forecasts published at the post offices ?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden) : I am sorry to say it is not in my power, on financial grounds, to give effect to the suggestion of my hon. Friend ; but if the results of the present limited experiment are favourable, as I hope they will be, we shall have to consider whether it ought not to be continued on a more extended

scale next year. In that case we should certainly include one of the western counties in our scheme.

#### THE MERIONETHSHIRE EDUCATIONAL SCHEME.

SIR W. HART DYKE (Kent, Dartford): I beg to ask the Vice President of the Committee of Council on Education whether the Clause 91, Sec. B and C, in the Merionethshire Scheme, under the Welsh Intermediate Education Act, prohibits the user of the formularies of any particular denomination in the family worship of a hostel or boarding-house of a school connected with such denomination, and the teaching of the distinctive tenets of any particular denomination to boarders in any such hostel unless the County Governing Body so allow; and whether he is aware that the Welsh Intermediate Education Bill, as introduced by the President of the Board of Trade, was amended so as to confine its operations to day scholars only, so far as the prohibition of distinctive religious teaching is concerned?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The right hon. Gentleman is perhaps aware that in this case I approved, with a very slight alteration, the Scheme of the Charity Commissioners in preference to that of the Joint Education Committee. On the general point the Charity Commissioners inform me that there is not, and cannot be, under this Scheme, any school connected with any particular denomination. The clause does not affect private lodgings, boarding-houses, or hostels not belonging to the school or foundation. The statement in the question as to the amendment of the Bill in Parliament is correct.

SIR W. HART DYKE: Do I understand the right hon. Gentleman to say that this clause is less intolerable because there is no school in the district that can possibly be affected by it?

\*MR. STANLEY LEIGHTON (Shropshire, Oswestry): I would ask the right hon. Gentleman whether this clause would not affect a hostel or boarding-house connected with an intermediate school, the master of which was the master of the school?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): I think the Scheme would apply to all hostels that are in any way part of the foundation of the school, or in any way supported out of the county rate or out of the endowments which are included within the scope of the Scheme.

MR. STANLEY LEIGHTON: Then, under what Act—the Welsh Intermediate Education Act or the Endowed Schools Act—is the right to give instruction to boarders in the distinctive tenets of any denomination prohibited?

MR. T. E. ELLIS: I do not think it is prohibited in either, or in the Scheme. The County Governing Body have power to appoint head masters and to lay down any conditions as to their tenure of office both under the Welsh Intermediate Education Act and the Endowed Schools Act.

\*MR. STANLEY LEIGHTON: Then what is the meaning of this clause in the Merionethshire Scheme—

“No distinctive tenet of any religious denomination shall be taught in boarding houses unless the County Governing Body shall allow?”

Under what Act is such a prohibition made?

MR. T. E. ELLIS: Under the Endowed Schools Act, 1869, and the following Acts.

MR. STANLEY LEIGHTON: Can the hon. Gentleman tell me the section?

SIR W. HART DYKE: Can the hon. Gentleman quote any Scheme under the Endowed Schools Acts of 1869 and 1875 where such a restriction is in existence?

MR. T. E. ELLIS: I must ask for notice of the question.

#### THE FOREIGN BASKET TRADE.

MR. HAYDEN (Roscommon, S.): I beg to ask the President of the Board of Trade whether baskets imported into Ireland from the Continent have upon them any indication of the place of their manufacture?

MR. MUNDELLA: I have no information upon this question, which is a general one. I have, however, made inquiry of the Commissioners of Customs, and will furnish the hon. Member with a



copy of their reply. There is nothing illegal in the importation of unmarked goods.

#### FOREIGN OFFICE MESSENGERS.

**SIR A. HAYTER (Walsall)** : I beg to ask the Under Secretary of State for Foreign Affairs whether any, and if any what, steps have been taken by the Foreign Office to carry out the recommendation of the Ridley Commission, to substitute for the present expensive service of Foreign Office messengers, drawing £400 a year each, and travelling allowance, a staff of retired non-commissioned officers of good character and long service?

**\*SIR E. GREY** : No vacancy has occurred since the present Government came into Office, and they have, therefore, not taken any decision in the matter.

#### REPAIRS IN ROTTEN ROW.

**MR. A. CHAMBERLAIN (Worcestershire, E.)** : I beg to ask the First Commissioner of Works whether his attention has been called to the repairs now being carried out in Rotten Row ; and whether he will cause them to be deferred until after the House rises for the Autumn Recess?

**THE FIRST COMMISSIONER OF WORKS (Mr. SHAW LEFEVRE, Bradford, Central)** : The repairs being carried on in Rotten Row cannot be altogether deferred until after the rising of the House for the Autumn Recess without inconvenience and increase of expense, but they will be carried out with the least possible inconvenience to those using the Row.

#### THE ANGORA PRISONERS.

**MR. S. SMITH (Flintshire)** : I beg to ask the Under Secretary of State for Foreign Affairs if he is aware that the remaining 58 Armenian prisoners at Angora were accused in the same way as Professors Thoumaïan and Kayayan, by means of forged documents and false witnesses, and that their fate will be terrible unless influence is brought to bear on the Porte ; and what steps Her Majesty's Government are taking to prevent this frightful abuse of justice?

**\*SIR E. GREY** : The Turkish Government have promised to supply the *procès-verbaux* of the trials to Her

*Mr. Mundella*

Her Majesty's Embassy at Constantinople, and until they are received I can express no further opinion on the matter.

**\*MR. GIBSON BOWLES** : Is the right hon. Gentleman aware that large numbers of prisoners have been sent to Siberia without any documents, forged or otherwise ; without any witnesses, false or otherwise ; that their fate will be terrible ; and what steps is he taking to prevent this frightful abuse of justice?

**\*SIR E. GREY** : I cannot answer that question. Doubtless the hon. Member has information at his own disposal which he thinks justifies him in putting the question.

#### SWAZILAND.

**SIR R. TEMPLE** : I beg to ask the Under Secretary of State for the Colonies whether it is true that, as distinguished from Protectorate, the British share of protective obligations towards Swaziland, its Chief and people, is being relinquished?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar)** : I very much regret that I cannot make a definite statement on the whole subject ; but as regards the question of the hon. Baronet, I may say at once that no arrangement in regard to the future government of the Swazis will be come to which will not involve the full and free assent of the Swazi nation.

#### THE ASSAM TEA GARDENS.

**SIR W. WEDDERBURN (Bauflshire)** : I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State for India has been drawn to a recent Judgment delivered by Justices Prinsep and Trevelyan, of the Calcutta High Court, in the case of George Murray, manager of a tea garden at Raugamati, who appealed against the decision of the Deputy Commissioner of Jalpaiguri, convicting him under Sections 341 and 342 (wrongful confinement) of the Indian Penal Code, and sentencing him to one month simple imprisonment and a fine of Rs.500 ; whether the Secretary of State has observed that the Judges, in upholding the conviction, remarked that the evidence shows that particularly the coolies employed on this tea garden were

always in a state of durance; when off work they were kept within a guarded enclosure, and even when they were at work on the tea garden they were watched by guards, that the manager dealt with his labourers in such a manner as completely to deprive them of any freedom of action, and thus practically reduce them for the term of their engagements to a state of slavery, that Mr. Murray had the assistance of the police, and that the circumstances of this case go to show the necessity for efficient inspection of the gardens; and whether, looking to the state of affairs disclosed by this Judgment, the Secretary of State will order a full and independent inquiry into the present condition of the coolies in Assam, and the working of the system under which their labour is obtained for the planters?

\*MR. G. RUSSELL: (1 and 2.) Yes, Sir. The attention of the Secretary of State has been drawn to the report of the Judgment referred to in the question, which relates to a garden situated not in Assam, but in the Dooars, where the Inland Emigration Acts are not in force. Full provision is made by these Acts for the efficient inspection of tea gardens and for the lodging of complaints by coolies in districts where they are in operation. (3.) The condition of the coolies in Assam has recently been the subject of a protracted investigation by the Government of India; and certain Amendments of the Inland Emigration Act have consequently been passed by the Legislative Council. The general result of the investigation has, however, been to show that the condition of the labourers on tea gardens is superior to that of the masses in the districts from which they emigrate. It does not appear to the Secretary of State that it is necessary at present to have another inquiry; but the attention of the Government will be called, in reference to this case, to the necessity of enforcing a thoroughly efficient inspection. If any breach of the law is committed by interference with the liberty of the coolies, either in Assam or elsewhere, the offender, as shown by the result of the case referred to in my hon. Friend's question, is liable to conviction and punishment.

SIR J. GORST: Will the hon. Gentleman have any objection to lay on the Table the recent correspondence

about the Assam Tea Gardens and the alterations in the laws regulating them made in consequence of it?

MR. G. RUSSELL: No, Sir; there is no objection.

#### THE LISNAGOON RIOTS.

SIR T. LEA (Londonderry, S.): In the absence of the hon. Member for South Tyrone, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the police have made any Report of riotous proceedings on the 14th and 17th July at Lisnagoon, near Cootehill, in the County of Cavan; and if he can state whether any arrests were made or summonses issued in connection with the affray?

MR. J. MORLEY: On the 3rd instant, in reply to a question addressed to me by the hon. and learned Member for North Fermanagh, I referred to the facts connected with the disturbances at Lisnagoon on the 17th July, which were promptly reported upon by the police, and further stated that the names of the ringleaders on this occasion had been taken, and that the question of a prosecution was under consideration. Directions to this end are now about to be issued to the police. With regard to the alleged riotous proceedings of the 14th July, I am informed that all that occurred on that date was that the workmen were cheered by about 25 persons and that the affair was insignificant.

#### THE PROGRESS OF INDIA.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for India why the Statement exhibiting the Progress of India, for 1891-2 (28th Number), has not been presented to Parliament, that for 1890-91 bearing date 24th May, 1892, and that for 1889-90 bearing date 15th May, 1891?

MR. G. RUSSELL: The forthcoming Statement exhibiting the moral and material progress of India will, according to previous custom, review the progress of the past 10 years. It therefore takes longer to prepare than the usual yearly Statements. It will be presented to Parliament soon after the end of December next.

## THE FFRWYD DISASTER.

MR. KENYON (Denbigh, &c.): I beg to ask the Secretary of State for the Home Department if he has received any intelligence as to the cause of the disaster at the Ffrwyd Colliery, near Wrexham?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I have received the following telegram from Her Majesty's Inspector with reference to Ffrwyd Colliery:—

"I have no information as to the disaster at Ffrwyd Colliery beyond what has appeared in the Press. No one was injured; consequently no Report has been made to me."

## COOLIE LABOUR IN THE WEST INDIES.

MR. A. SMITH (Christchurch): In the absence of the hon. Member for the Widnes Division of South-West Lancashire I beg to ask the Under Secretary of State for India whether Surgeon-Major Deane Comins, Protector of Emigrants at Calcutta, was instructed by the Government of India in the early part of the year 1891 to proceed on an official visit to the British and Foreign Colonies in the West Indies, and to report upon the condition of the coolie immigrants in those Colonies; whether, as the result of repeated applications to Her Majesty's Government, the Government of India telegraphed to the India Office on the 5th April, 1893, that Dr. Comins' Reports were nearly ready, and that no time would be lost in sending them on receipt; and whether the Reports have yet been received and transmitted by the Government of India to the Secretary of State; and, if not, what is the reason of the delay which has occurred in connection with them?

\*MR. G. RUSSELL: Surgeon-Major Deane Comins, Protector of Emigrants at Calcutta, was instructed by the Government of India in the early part of the year 1891 to proceed on an official visit to the British and Foreign Colonies in the West Indies, and to report upon the condition of the coolie immigrants in those Colonies. On April 15 last the Government of India telegraphed that the Reports on the West Indies were promised at the end of the following month, and that no time would be lost in sending them on receipt. The Reports

have not yet been received by the Secretary of State. The delay has been caused by Dr. Comins' duties as Inspector General of Gaols leaving him little leisure for the preparation of his Reports.

MR. A. SMITH: Will the hon. Gentleman press for the early production of this Report?

\*MR. G. RUSSELL: Yes, Sir; intimation has been sent already to the effect that it is desirable to have it as soon as possible. I have no doubt it will be ready shortly.

## MADRAS AND BOMBAY ARMIES BILL.

SIR A. HAYTER (Walsall): I beg to ask the Under Secretary of State for India whether it is the intention of the Government to deal with the Despatch received to-day from Lord Lansdowne, the Viceroy of India; and whether the India Office is going to modify the Madras and Bombay Armies Bill in conformity with the views expressed by the Viceroy?

\*MR. G. RUSSELL: I have had no opportunity of consulting the Secretary of State since the Despatch was received. The views of the Government of India will be carefully weighed, and I may add that they are in consonance with those favoured by the Secretary of State, who only consented rather reluctantly to an alteration in the Bill in order that it might pass through another place.

## ORDERS OF THE DAY.

## GOVERNMENT OF IRELAND BILL.

(No. 428.)

## CONSIDERATION. [FIFTH NIGHT.]

Bill, as amended, further considered.

MR. COURTNEY (Cornwall, Bodmin): When I was addressing the House last night in support of the clause standing in my name, I intimated that I should not deem it necessary to deal with the subject at any length, because it is a very simple matter, exciting no Party feeling and no Party passion, and being put forward in the interest of no one section. The facility of enabling a Minister to pass from one branch of the Legislature has many advantages, and it



has been found to be extremely useful in other countries. Although the system is not in force in this country, it is not unknown in some of our colonies. It is practised at the Cape of Good Hope without any loss or disadvantage—on the contrary, with much practical gain. In this country the experience of hon. Members must have made them conscious that if this power existed in this country cases would often arise when it would be of great advantage if a Minister were enabled to accompany his Bill from one branch of the Legislature to another, this Minister, of course, being the most competent person in the advocacy of his Bill. Take, for example, the Bill which is now under discussion. Everyone is conscious of the advantage which would accrue to the advocacy of the Bill in the other House of Parliament if it could be accompanied by its author, the principal constructor of the measure. Without any disrespect to the noble Lords, I may say that if the Prime Minister were enabled to advocate the Bill in the Upper House he would, to use a popular phrase, make their Lordships “sit up.” I think, also, that the House has enjoyed some experience occasionally in the past when it might have been useful to have had a Minister from another place. I do not refer to the present Under Secretary of State for Foreign Affairs, who has discharged his duties with remarkable ability; but I have known some inarticulate Under Secretaries for Foreign Affairs who have not given the House that complete advantage in expressing the views and the policy of the Government of the day—information which might have been obtained if the Secretary for Foreign Affairs had himself been enabled to come to the Lower House to expound the Government policy himself. I admit, of course, that the business of the Government Departments is so great that it has been found necessary to double the political officers; but I would now impress on the Government the propriety of considering this question apart, and with reference to the circumstances of Ireland itself. If the Irish Government are to be required to have an officer in each branch of the Legislature to answer for the particular Department for which he is responsible it will be necessary to have more officers than would otherwise be required.

If this scheme were carried out there would be some officer responsible for the administration of law and justice in Ireland. How great would the advantage be to the conduct of affairs in Ireland if that officer could pass from one House to the other, and vindicate the conduct of his Department against any charge that might be brought against it! The responsible person would be able to reply to any attack that was made upon him in the discharge of his functions. It could not be the object of the Prime Minister to make an unnecessary number of officers of the Irish Government. He was at a loss to discover any argument against this proposal. It might be suggested that it would, perhaps, give too much authority to the Executive Government as against the Legislature. That might be true if the Executive Government occupied the position that they did in Germany, where the officers did not hold their offices simply at the pleasure of the Representative Body; but in the Parliamentary system initiated in this Bill, and which was proposed to be given to Ireland, the Members of the Executive Committee were to hold Office at the pleasure and according to the determination of the Legislature itself. The proposal would not make them subservient to the Executive Government. It seemed to him that his proposal was of a thoroughly practical character, and he submitted it to the Prime Minister with some hope that it would receive favourable consideration at his hands. Of course, things did not always appear the same to different observers; but he understood that the right hon. Gentleman was prepared even to stretch a point to accommodate critics. He (Mr. Courtney) submitted, as to his proposal, that it would be really valuable in the administration of the Government in Ireland; that it would largely assist that economy which the right hon. Gentleman had at heart in arranging for the Irish Government; and that it would make the conduct of affairs more easy, rapid, and satisfactory to all concerned than would be the case if it were rejected.

Clause (Attendance of Member of Executive in Legislature,)—(*Mr. Courtney*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) (who was very imperfectly heard) said, the right hon. Member understood him to be willing to give impartial consideration to reasonable proposals for the amendment of the Bill, implying that the present Amendment was a reasonable matter. Well, he (Mr. Gladstone) did not intend to discuss this proposal on its merits. He differed from his right hon. Friend in thinking that it was a very simple matter, for he considered it was a large question upon which much might be said on the one side and the other. Speaking for himself, he could only say that it would have taken a great deal to induce him at any period of his life to address that House in any other capacity than that of a Representative. The House should give attention to any strong feeling that might be entertained by the Irish Members on the subject. In his opinion, the question was one wholly and solely for the consideration of the Irish Legislature. This was not a question of the constitution of the Irish Legislature, or of its composition; and, even if it were, it would be within the power of that Legislature to deal with it after a short term of years. There was an example which proved distinctly that that was so. Nothing could be more rigid than the manner in which Congress was absolutely precluded by the Constitution of the United States from altering that Constitution. That was absolutely excluded from it, and yet it had been thought convenient to introduce a provision of this kind. His right hon. Friend was, of course, quite justified in deriving all the sanction that he could from foreign practice; but he was liable to be met by the objection that it was contrary to British practice. He (Mr. Gladstone) must repeat that this was a matter which, beyond all doubt or question, lay in the power of the Irish Legislature. If it did not, there might be some ground for obliging them to deal with it in the House. But were it so, he should be inclined to say that he would very much rather have the matter considered at large, and with reference to the exigencies of this country as well as

of Ireland, than make a random experiment in Ireland only. But his present ground was that there could be no doubt that this was a matter for the consideration of the Irish Legislature. It was a matter exclusively Irish, and therefore the doctrine of the Government was to leave it to the discretion of the Irish Legislature, and the Irish Legislature alone, subject, of course, to proper Constitutional safeguards. He could not consent to the introduction of the clause into the Bill.

MR. A. J. BALFOUR could not help regretting that the Prime Minister had not gone into the merits of this question, because he was quite sure that what he could have laid before the House would have been of extreme interest with reference to Constitutional practice and procedure. He could not, however, blame the right hon. Gentleman for the line he had taken under the circumstances. The right hon. Gentleman held that it would be in the power of the Irish Legislature to carry out this reform, and that it ought to be left to that Legislature to determine what course should be pursued. The British practice was not, in his opinion, really a proper analogy in the case of a new Constitution; and while he must concur in the observations that in our historic House of Commons and House of Lords any change which permitted Members of one House to go and speak in the other, to which they did not belong, would, indeed, be a great and doubtful innovation. He did not know what effect would be produced if the Prime Minister were permitted to give the benefit of his eloquence to the House of Lords. It might have far-reaching and startling consequences, and, for his part, he should be sorry to sanction so important an innovation. But when they were considering from the beginning a new system in which there was to be a Second Chamber, which, whether better or worse, at all events bore no resemblance to an Hereditary Chamber, the state of things had no resemblance to our historical Houses of Parliament; and he thought the right hon. Member for Bodmin (Mr. Courtney) had made out an overwhelming case, both on grounds of economy and administrative expediency, for permitting a Minister to defend in either House where his acts or the policy of the Cabinet of which he formed a part

might be attacked the Department for which he might be specially responsible. If, however, it were generally accepted by the Legal Authorities in the House that the Prime Minister was right in his interpretation of the Home Rule Bill, and that the Irish Legislature, if ever it was called into existence, would have power to carry out this reform on its own motion, he would not advise his right hon. Friend opposite to take the sense of the House upon his proposal. If, however, that was not the view of the Legal Authorities, and it was necessary to give these powers to carry out the object which had been explained, he hoped his right hon. Friend would press his Motion to a Division.

SIR J. LUBBOCK (London University) said, they were all agreed that this was a matter on which they should defer to the feelings of the Irish Members: but, in the absence of any expression of opinion on their part, he thought it was the duty of the House to consider what plan would work best on the whole, so far as the future government of Ireland was concerned. It was perfectly true that the Irish Parliament might adopt this plan if they liked, and it was equally true that if the House passed the clause it would be in their power to do away with it if they chose. But the Irish Parliament, when it first came into existence, would have an immense number of pressing matters before it, and it was unlikely that it would be able to find time for a considerable period to discuss matters of this kind. If, therefore, the House were of opinion that it would be for the advantage and better government of Ireland that this principle should exist, surely this was the time to adopt it. The Irish Legislature should be started under the most favourable conditions. The right hon. Gentleman the Prime Minister, who objected to this Proviso, said that, although the experience of other countries could be quoted in its favour, on the other hand, our own experience was against it. But the right hon. Gentleman the Member for Bodmin had shown that that was not entirely the case. He had shown that, on the contrary, in some of our Colonies which approached most nearly to the constitution of the Irish Legislature, this plan was in operation, and was allowed to continue in operation. Therefore, they might reasonably con-

clude that it had been found to be of advantage. There was an additional reason why the proposed system might be of advantage in Ireland, although it was not of advantage in this country. Our House of Commons and House of Lords were large bodies, and it was, therefore, reasonable to conclude that gentlemen could be found within them fully qualified to represent all the great Departments. But where bodies were smaller, as in many of the Colonial Governing Bodies, it was often convenient to allow Ministers to go from one Chamber to the other. In the absence of expressed opinions on the part of the Irish Members, or from Ireland, surely they had to consider what was the best form for the future Government of Ireland. This was not a Party question, and the right hon. Gentleman who had moved the Amendment and many hon. Members felt that the right hon. Gentleman, in moving the Amendment, had only been anxious, not to advance the interests of any political Party, but to advance the interests of the Irish Legislature generally. He regretted that the Prime Minister did not see his way to accept the Amendment.

MR. T. M. HEALY (Louth, N.): I do not rise for the purpose of saying anything as to the clause; but I rise to say something about the Deceased Wife's Sister Bill. There is no reason why we should not deal with that, and I do think that upon that subject, and also on the subject of vaccination, we should be enlightened from the Unionist Benches.

Question put, and negatived.

\*VISCOUNT WOLMER rose to move in page 5, after Clause 9, to insert the following Clause:—

(Boundary Commissioners.)

“The following persons, that is to say, of whom not less than three shall be a quorum, shall be appointed Boundary Commissioners for Ireland, and they shall immediately after the passing of this Act proceed by themselves, or by Assistant Commissioners appointed by them, to inquire into the existing boundaries of every borough or division of a borough and county or division of a county in Ireland, and they shall with all practicable despatch report to one of Her Majesty's principal Secretaries of State how those boundaries may be best re-adjusted, so that the total number of Members returned to Parliament from Ireland shall be 80, and so that the population in each group of boroughs, borough, or division of a borough, group of

counties, county, or division of a county, returning one Member to serve in Parliament shall be as far as possible equalised, and their report shall be laid before Parliament. It shall be the duty of the above-mentioned, one of Her Majesty's principal Secretaries of State, to draw up a scheme to give effect to the report of the said Boundary Commissioners, which shall be forthwith laid before both Houses of Parliament, if Parliament is then sitting, or, if Parliament be not then sitting, within three weeks after the beginning of the next Session of Parliament; and if such scheme has lain before Parliament for not less than two months during the same Session, then, unless an Address has been presented within such two months by one or other of the Houses of Parliament praying Her Majesty to withhold Her consent from such scheme, or any part thereof, it shall be lawful for Her Majesty by Order in Council to declare Her approbation of such scheme, or any part thereof, to which such Address does not relate. Nothing in this section shall affect the boundaries of boroughs or counties returning Members to serve in the Irish Legislature."

\*MR. SPEAKER : I would call attention to the fact that the question of the Boundary Commission has been considered, both with reference to single-Member constituencies and proportional representation—I understand that something has passed between the noble Lord, or another hon. Member, and the Government; and the Government have expressed their intention to bring up an Amendment later on. Perhaps the Government will now state what is their intention. In any case, I do not think the noble Lord can bring forward the question of Boundary Commissioners at this stage with reference either to single-Member constituencies or proportional representation.

MR. W. E. GLADSTONE : I am glad, Sir, that you have drawn the distinction between the two questions. I do not think, upon an examination of what it would involve in future proceedings, that the Government could accept the clause enacting a Boundary Commission in the present Act. When I spoke of a contingent willingness—I will not say desire—on the part of the Government to entertain the question of single-Member constituencies, I referred to the method of proceeding by Order in Council, subject to the power of intercepting the operation of the Order by Parliamentary intervention, as the mode by which the whole subject could be handled. No doubt, that proceeding would involve something in the nature of a Boundary Commission; but it would

have a very limited operation indeed. I think that the cases in the whole of Ireland in which the Commissioners would have to act is only 10, and if anything were done I think it ought to be by Order in Council checked by the power of Parliamentary intervention. As has been stated by you, Sir, the question of the Boundary Commission has been disposed of, and the Government are not disposed to revive it. The more important question is that of single-Member constituencies. I am anxious to be well understood upon this question, though I am conscious that it would be contrary to the spirit of the Orders of the House, even if I were permitted to do it by indulgence, to enter upon a vindication of the Schedule. Therefore, I will not do that further than to state what the intentions of the Government have been, and what their belief is. I at once admit that if it could be proved upon a discussion of the Schedule that it was unjust as between Nationalists and Unionists, not only would a very grave charge of indiscretion and neglect be made good against the Government, but likewise a very strong case would have been made out for a compulsory rectification, at whatever cost of time, of that error. We are under a very strong belief that there is no foundation whatever for that charge. We may be wrong, but our belief is that the distribution of the 80 Members under their Schedule with the constituencies voting in a lump would be a more favourable division to the Unionist Party, compared with their present proportion, than the single-Member system, with the single exception, I admit, of the provision made with regard to the University of Dublin. I am not referring to that, but am only speaking of the town and county divisions. That being so, we, from our point of view, entirely throw aside that consideration of unfairness. We have to consider that, while there are a multitude of questions upon which various constituencies in England are divided—in one constituency there is a strong Temperance Party, in another there is a strong opinion in favour of Parish Councils, and so on—that is not so in Ireland. There the one division at present is that between Nationalists and Unionists, and that is one upon which I frankly admit that the Government are under a primary obligation to do nothing



less than justice to the minority. Then, I proceed upon the assumption that the real question before us is not that of justice between party and party, which I understand to be provided for, but is a question of the merits of single-Member constituencies. That is not an important question at all. How do we stand with regard to business? We stand laden with difficulties of every kind, and it is as much as we can possibly hope for that, during the time that remains to us, we shall be able to deal with the Bill as it stands, and to deal with the Bill effectively in our legislative capacity is what the Government consider to be their primary and absolute duty. Very well,

(1) I arrive at this point—that we are not in a position to accept the introduction of any subject which will seriously or appreciably add to the amount of debateable ground which still, unfortunately, remains to be traversed. We could not declare ourselves prepared to deal with the question of single-Member constituencies, even if we agreed to the clause the noble Lord has put down.

MR. SPEAKER: I invited the Government to state what they proposed to do.

MR. W. E. GLADSTONE: Yes, Sir; I began, I admit, by stating what we could not do.

\*MR. SPEAKER: I do not think it would be in Order for the right hon. Gentleman to discuss the question of the Schedule now, but it is in his power to say that there would be a period of the Bill when he would introduce an Amendment to carry out the principle of single-Member constituencies. Then that would be the time to consider the matter as against the Schedule as it stands at present. Everything beyond that would be out of Order.

MR. W. E. GLADSTONE: I have stated what I could not do, and I have just arrived at the point when I would state what I would do. The Government cannot bind themselves to introduce a provision for single-Membered constituencies; but we consider it a matter on which we might be able to agree through friendly communications. I do not wish to bind anyone on any other subject, or to say—"Because we have entered into friendly communications on single-Member constituencies, we therefore expect you to abate your hostility to the

Bill." Hon. and right hon. Members might come into these communications on this one separate and limited subject, and, at the same time, remain free to pursue the course they have taken on the Bill as a whole. The real question is whether the advantage of single-Member constituencies is such as to induce hon. Members to enter into these communications? We have had examples of the value of these communications on a larger scale in former years. I know we cannot hope to return to those happy times; but if hon. Gentlemen opposite think they can do this, and if we do enter into such communication, it will be a matter of honour to see that gentlemen are not placed in difficulty at a subsequent stage, but the Government will make such provision that there shall be no technical obstacle to prevent the insertion of the plan. That is the only way in which the Government can see an opening for possible dealing with the question of single-Member constituencies.

MR. A. J. BALFOUR: It would be quite out of Order if I were to deal with that part of the interesting and useful statement of the right hon. Gentleman which touches upon the Schedules. I would only say that what he has stated as to the importance which attaches to the fairness of this Schedule conclusively shows that we shall have an opportunity of discussing these matters in detail. I understand the right hon. Gentleman to say that the Government, though they do not pledge themselves to any such policy, are prepared to consider and discuss a scheme whereby single-Member constituencies will be substituted for the plan in the Schedule, and in which Boundary Commissioners will have to be appointed—not in the manner proposed in the clause of my noble Friend, but by Order in Council. I believe there are precedents for such appointments, and for their being subject to Parliamentary supervision. That being the proposal, it appears to me there is little difference between the scheme the right hon. Gentleman is prepared to discuss in a friendly spirit and that of my noble Friend; and I would therefore ask you, Sir, on what part of the Bill can the scheme which may result from such friendly discussion be introduced, and if my noble Friend is out of Order how can the clause em-

bodying such a scheme be introduced at any later stage of the Bill?

\*MR. SPEAKER: That difficulty occurred to me whilst the right hon. Gentleman was speaking. Of course, if I rule the noble Lord out of Order in now discussing the question of a Boundary Commission to carry out single-Member constituencies, I shall have to give the same ruling in regard to the Boundary Commission which the Government now indicate that they may possibly propose to the House. Of course, any difficulty may be got over by recommitting the Bill for the purpose of dealing with Boundary Commissioners. That would be a complete answer to the question of Order; but unless it is shown to me that the possible scheme of the Government would differ from the boundary scheme in the clause of the noble Lord, if I rule the latter out of Order I should be bound so to rule the former.

MR. W. E. GLADSTONE: I have considered the circumstances so as to avoid running any risk of betraying hon. Gentlemen opposite into a false position. We have already decided that there shall be no Boundary Commission by enactment: but we have in view a possible recommitment of the Bill for a limited purpose by general consent, when I say it would be an absolute obligation on the part of the Government to take care that hon. Gentlemen are not tripped up by any difficulty of form.

\*MR. SPEAKER: The distinction in my mind is very fine between appointing Boundary Commissioners under the Bill and proceeding by Order in Council, because I imagine the Commissioners would be named by Order in Council in any case. The point is one on which I should not like to commit myself to a final opinion without further consideration. But, as I have said, any difficulty would be got over by re-committing the Bill, supposing any difficulty arose.

MR. A. J. BALFOUR: The best course, perhaps, would be for my noble Friend to re-cast his clause, substituting appointment by Order in Council by Her Majesty for the proposal in the Bill. It would then be open for you, Sir, to determine whether that is or is not in Order, and give time to consider the proposal the Government have made.

SIR J. GORST (Cambridge University) said that on the point of Order,

*Mr. A. J. Balfour*

supposing the House on the 9th clause were to resolve that each constituency named in the Schedule should return one Member to represent Ireland in Parliament, would it not be in Order afterwards to amend the Schedule by stating, for example, that the County of Cork should contain three divisions such as Her Majesty should hereafter by Order in Council appoint, if necessary inserting a provision to the effect that the Order in Council should lie on the Table of the House like an Education Order?

\*MR. SPEAKER: That would take the Boundary Commissioners out of appointment by this House. I think that course might be adopted.

\*VISCOUNT WOLMER asked whether it would be in Order if he omitted that part of his clause which dealt with the Boundary Commissioners and proceeded with that which required the Secretary of State to prepare a scheme for one Member constituencies (leaving the Government to appoint the Boundary Commissioners in their own way), and provided the machinery for carrying the scheme out?

MR. W. E. GLADSTONE: I should not object to the re-casting of the clause, but not until notice has been given.

\*MR. SPEAKER: I do not think the noble Lord could do what he suggests now, because it would amount to the introduction of a new clause, and that would require notice.

SIR H. JAMES (Bury, Lancashire) asked at what stage of the Bill would the Government plan be placed before Members?

MR. W. E. GLADSTONE: The mode of proceeding I should propose ought to be made intelligible by the reference I made to the year 1885. When I spoke of general consent I meant general consent of the same kind as that arrived at in 1885. That would depend upon communications, and upon the possibility of arriving at a satisfactory conclusion.

SIR H. JAMES: What I wished to know was whether we should have any outlines of the plan before we arrived at Clause 9, or whether the plan was to be outside this Bill as the Redistribution Bill of 1885 was outside the Franchise Bill of 1884?

MR. W. E. GLADSTONE: No. My opinion is that we might very easily

ascertain whether we agreed or differed before we passed Clause 9.

MR. COURTNEY : I do not wish to enter into any discussion now. I am manifestly in a very peculiar position, as the conversation which has been exchanged between the two Benches is technically of a slightly irregular character. I only wish to guard myself against being a party in any way to an agreement. We were taken very much by surprise in 1884-5, and certainly we claim to retain full liberty of action on the present occasion.

MR. GOSCHEN (St. George's, Hanover Square) : It is most desirable that there should be no misunderstanding, and I should, therefore, like it to be distinctly understood what the general consent the Prime Minister asks for is to have reference to. Is there to be a preliminary agreement with regard to the geographical constitution of a single-Member district, or is there to be no agreement before the matter is threshed out in this House? I should think it would be very difficult to agree beforehand to any kind of plan in detail. The right hon. Gentleman will himself be as anxious as I am that the matter should be made so clear that there should be no misunderstanding either on one side or the other when it comes up for discussion.

MR. W. E. GLADSTONE : I think I have made myself as clear as the case admitted by saying that we are unable to adopt any scheme which would make an appreciable addition to the amount of debatable work done in this House. I said, however, that the door was not wholly shut. If there were a disposition to consider the question we might by conference ascertain outside these Debates whether there was a substantial agreement, but pray let it be understood that we are not at this moment seeking to do more than ascertain whether there could be any agreement. As to any liberty of action of any Member being affected, no such thing was contemplated by me.

\*MR. SPEAKER : The discussion which the hon. Member for the Bodmin Division said was slightly irregular will, before long, become of the highest irregularity. I thought it my duty to permit it for the sake of convenience, but there will be plenty of time to put down Amendments upon the clause, and before that time arrives the Government can

say what they will do. I do not think the subject ought to be discussed any longer.

\*VISCOUNT WOLMER proposed, after Clause 20, to insert the following clause :—

(Procedure in cases of doubt as to powers of Irish Legislature.)

“(1) If any question arises as to the powers conferred on the Legislature of Ireland under this Act in connection with any Bill introduced or passed by the two Houses of the Irish Legislature, the Lord Lieutenant may refer such question to Her Majesty in Council, and thereupon the said question shall be forthwith heard and determined by the Judicial Committee of the Privy Council constituted as if hearing an appeal from a Court in Ireland.

“(2) The decision of Her Majesty in Council on any question referred under this section shall be final, and a Bill which may be so decided to be, or contain a provision, in excess of the powers of the Irish Legislature, shall not be assented to by the Lord Lieutenant, and until such decision all proceedings on such Bill shall be postponed.”

He said, that by Clause 20 of the Bill it was provided that any Act of the Irish Legislature might be submitted to the Judicial Committee of the Privy Council on the question whether it was invalid as being beyond the powers of that Legislature. The present clause would simply enable the Lord Lieutenant or the Secretary of State to submit a Bill to the Privy Council before it actually became an Irish Act. He submitted that this provision was necessary and good in itself, and that it would tend to avoid friction. It seemed to him better that a Bill, which, if it became an Act, would be invalid and *ultra vires*, should be stopped before it became an Act. Otherwise an Act might be declared invalid by the Privy Council even possibly many years after it had been passed, and the result would be that all that had transpired under it in the interval would be null and void. It was difficult to contemplate with equanimity the amount of friction which might be caused if such a state of things occurred. On the 6th of July the Solicitor General opposed an Amendment of an analogous character, arguing that it was quite without precedent and quite irregular and objectionable that any speculative question should be submitted to the Privy Council. But Clause 20 of the Bill as it stood empowered the Viceroy to make what the Solicitor General would call a speculative re-

ference to the Privy Council. As to its being novel, he would point out that the clause was taken almost *verbatim* from the Bill of 1886. It was, therefore, for the Government to explain why a provision which they thought useful in 1886 was now in their eyes objectionable. He would refer the Solicitor General to a remarkably analogous provision in the Act of 1885 for establishing a Federal Council for Australasia. Section 17 of that Act empowered the Governor of the Colony to reserve his assent to a Bill, and to state what he would be prepared to assent to, subject to certain Amendments specified by him. He thought the present proposal was much better, and would cause far less friction than the scheme of the Government.

Clause (Procedure in cases of doubt as to powers of Irish Legislature,)—(*Viscount Wolmer*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): The noble Lord represents the new clause as analogous with the provision which was inserted in the Bill of 1886.

VISCOUNT WOLMER: I said it was taken almost *verbatim* from it.

MR. J. MORLEY: But I would point out to my noble Friend that there is an immense difference between the new clause he has undertaken and the clause of the Bill of 1886. The noble Lord is mistaken in his recollection of that Bill. The 25th clause of the Bill of 1886 referred exclusively to Bills passed by the Irish Legislature. The noble Lord's clause goes very much further than that, because he proposes that if any question arises in connection with any Bill introduced into the Irish Legislature, it may be referred to the Privy Council. This is not an idle distinction on my part. The effect of this clause would be to put it in the power of any Member of the Irish Legislature to introduce a Bill for the mere purpose of raising a specific question, and obtaining the decision of the Privy Council upon it. I do not wish to press the noble Lord too hard, but he has inadvertently misrepresented the clause of the Bill of 1886. There is

*Viscount Wolmer*

a much more serious objection than the one I have already indicated. The clause would introduce a legal tribunal into legislative operations whilst those operations were in progress.

\*VISCOUNT WOLMER: There is the case of Australasia.

MR. J. MORLEY: I have nothing to do with that. I am arguing the question on the facts of the case we are now discussing. The clause would introduce a general tribunal with authority to advise the Legislature upon legislative proposals then under discussion. I think the noble Lord will see that this, from a Constitutional point of view, is a very grave objection. On these and other grounds, which I will not trouble the House with, I cannot assent to the proposal.

SIR H. JAMES said, he would suggest, after the remarks of the Chief Secretary, that it would be well to omit the words "introduced or" from the new clause, and to accept the proposal that the Lord Lieutenant might obtain the judicial decision of the Privy Council, as to whether a measure exceeded the powers of the Irish Legislature or not, after the Bill was passed. He thought there could be no doubt that some practical difficulty would be found to exist in the way of a Parliament with limited powers. The difficulty would not be of the Parliament, but of the people. The people of Ireland would be subject to the laws that were passed by the Irish Parliament, and in their interests and for their protection it was of the utmost importance that the validity of every Act passed should be safely established. He would remind the House that an effort was made in Committee to allow the Lord Lieutenant to give a qualifying approval of a Bill—that if he had a doubt as to whether a particular part of it exceeded the powers of the Legislature he might suspend his action on that portion, but give assent to the other portion. That proposal was not accepted. By the Bill the Lord Lieutenant would be bound, in any case, to give a total veto or a total acceptance. Unless some provision of the kind proposed was adopted the subject might be placed in a very great difficulty with regard to any Act passed by the Legislature, for he would have no opportunity, before acting under it, of ascertaining whether the



measure was *ultra vires* or not. It might be said that anyone having doubt of the validity of an Act might test it by a legal suit; but was it right or just that they should throw such a burden on the subject? It was certainly the duty of a Government and Legislature to see that, when a Statute was passed, the burden and cost of contesting it should not be thrown on the subject. Why should not the Lord Lieutenant, who was primarily liable and responsible, be entitled to take the judicial advice of the Privy Council as to whether a Bill was *ultra vires* or not, before he gave his assent to it, instead of giving his assent and leaving the subject to contest the matter? Clause 20 was insufficient to meet the difficulty, because before a judicial decision could be obtained under that arrangement many acts might have been done under the Statute, and these might possibly turn out to have been illegal. All difficulty and injustice, however, would be avoided if the Lord Lieutenant were permitted to take the judicial advice of the Council before a Statute was finally passed. He would hope no undue burden would be placed upon Irish subjects by the Irish Legislature legislating on Irish questions; but his suggestion was, he thought, well advised, and perhaps it would be considered whether it could be adopted.

MR. SEXTON (Kerry, N.) said, it was quite evident that the new clause as it stood on the Paper would not bear discussion for a moment. If the Lord Lieutenant had the power cast upon him of considering whether any Bill introduced was beyond the powers of the Legislature or not, he would have to become the critic of all the proceedings of the Irish Parliament, and it was evident that if, in virtue of this function, he were to interrupt the proceedings of either Chamber in order to obtain a judicial decision on Bills introduced, a state of affairs would be brought about which existed in no other country. It would certainly produce great difficulty and disorder if the Legislature were to be interrupted in that way. That part of the new clause, however, seemed to have been abandoned, and now the proposal was that after a Bill had been passed the Lord Lieutenant, instead of proceeding to give the Royal Assent to it, should first have the power to refer it, if he

desired, to the Judicial Committee of the Privy Council. He submitted that if any Act was passed by the Irish Legislature which was *ultra vires*, and which materially affected any interest, the question could speedily be tested—

MR. T. H. BOLTON (St. Pancras, N.): How?

MR. SEXTON said, it could be done by some person who was affected by the Act testing it in the Courts. He did not think it was a very great misfortune to add one more to the many questions in which an individual had to maintain his rights at law, as to testing whether a Statute was valid, or repelling unjust infraction by the Act. It did not add to the burdens of the subject to so look after his rights. He presumed that in the case of any Act passed the question would be speedily raised whether it was *ultra vires*; and when once the question was raised, operations under the Act would be suspended until the validity of the Statute was determined. On the other hand, if the new clause were adopted, it would effect a very unfortunate change in the functions and position of the Lord Lieutenant, because by the structure of the Bill he was bound, unless he received instructions from the Imperial Government, to take the advice of the Irish Executive Council in regard to withholding or giving the Royal Assent. If the Lord Lieutenant, instead of acting on that plain rule and confining himself to his Ministerial functions, were called upon to form a preliminary or tentative judgment of his own as to whether a Bill just passed was beyond the powers of the Legislature or not, and in virtue of that referred the Bill to the Privy Council instead of giving his assent to it, he did not think it would be possible to preserve harmonious action between the Lord Lieutenant and the Executive Committee of the Irish Privy Council. It would draw him away from his proper functions to bring him into conflict with those officers who were appointed to assist him and advise him. After a Bill was passed, which was not considered, perhaps, a proper Bill, the Lord Lieutenant should be left simply to confirm the will of the Privy Council in regard to assent or withholding assent, unless, of course, he received instructions from the Imperial Cabinet. Otherwise, it was

obvious, he thought, that there was an impossibility of a speedy settlement.

\*MR. T. H. BOLTON said, it was provided by Clause 20 that the Lord Lieutenant or the Secretary of State should be the only person who, in the public interest, should take steps to speedily determine whether any Act passed by the Irish Legislature was beyond its power, or had been improperly passed. The initiative lay with them and not with the private individual, as the hon. Member for North Kerry supposed.

MR. SEXTON: Sub-section 3.

\*MR. T. H. BOLTON said, the hon. Member referred him to Sub-section 3; but he would like to ask what remedy a private individual would have if an Act were passed that might deprive him of liberty or property without due process of law? Of course, an individual might petition the Queen, or write to the newspapers on the subject, but that was not a judicial proceeding; and he would have no power to raise the question judicially in a direct manner so that it could be tried by the Exchequer Judges in the first instance and remitted on appeal to the Privy Council. He would have no power in that respect at all. In that particular this provision differed from the provisions of the American Constitution and judicial system, which allowed the individual to raise such questions. What was the law in the United States? Why that Statutes enacted by States, or passed by Congress, might be subjected to judicial scrutiny at the suit of an individual, and set aside if found to be at variance with the higher organic law. There was no such provision in this Bill. He would press upon the Solicitor General (Sir J. Rigby) that he should tell them whether, in his opinion as a lawyer, Sub-section 3 of Clause 20 would enable and authorise an individual who was dissatisfied with an Act of the Irish Legislature on the ground of its alleged invalidity to bring the question promptly and directly, as opposed to incidentally—it could, of course, be raised incidentally—before the Privy Council? There were other learned Gentlemen in the House whose opinions they would like to hear upon the subject. If the sub-section would give no remedy to the individual, even in an informal way, to question the validity of an Act of the

Irish Legislature, it was all the more necessary that this Amendment should be made to give a wider power in relation to the question of considering Bills. The hon. Member (Mr. Sexton) said it would be in the power of the individual to call attention to a Bill, and that it could then be referred to the Privy Council for determination on the question of validity. He (Mr. Bolton) denied that. He would most strongly appeal to the Solicitor General to explain the bearing of the sub-section, if he agreed with the hon. Member for Kerry. It was to be remembered that when an Act passed people proceeded under it; but under the new Irish Constitution, suddenly, in some lawsuit between private individuals, it might be decided that the Act was invalid, and all the transactions under it would then be more or less affected. Very great risk therefore, was incurred, and he thought there was great necessity for some such provision as this now proposed to enable Bills to be fully considered, and considered judicially, before they became Acts.

MR. COURTNEY said, so far as Clause 20 was concerned, a good deal might be said against the concession of an abstract right to test the validity of an Act judicially. To raise the question of the validity of an Act in an abstract manner would be a course which the Judges themselves would not greatly favour. It was a matter of great delicacy, and they did not care to decide such questions. But the Government proposed to enable a private person who was engaged in legal proceedings under an Act of the Irish Legislature to call upon the Judicial Committee of the Privy Council to pronounce upon the validity of the measure. The hon. Member for St. Pancras (Mr. Bolton) might be right in the view he had taken; he (Mr. Courtney) did not know. But the Government had gone a certain length to enable private persons to take proceedings, and the Judicial Committee of the Privy Council were to pronounce upon the validity of the Act. It would, however, take some time before this decision could be given, and, in the interval, many things might have been done, and many obligations entered into under the Act, so that if it were declared invalid great difficulties and complications would be caused. The whole question now in dis-

*Mr. Sexton*

pute was this: whether the process of giving the Royal Assent to a measure should be gone through before its validity could possibly be tested, or whether means should be given to test its validity before that assent was declared? It had been argued that if the second course were determined upon it would breed difficulties between the Lord Lieutenant and his Executive Ministers. Those who so argued did not quite appreciate what the position of the Lord Lieutenant would be. Whilst it might be said generally that the Lord Lieutenant would assent to measures on the advice of the responsible Irish Ministers, he would also, like a Colonial Governor, have directions of a general or specific character from the Imperial Government as to giving or withholding his assent. A general Bill might be passed affecting certain relations between the two countries, and it might be referred to the Cabinet in London. Was it expedient that the Lord Lieutenant should be authorised to give his consent to an Act of doubtful validity, or to allow the question to be referred to the Judicial Committee before he gave his assent in order to determine whether the proposed Bill was or was not *ultra vires*, the inference being that if it was not the Royal Assent would be given? The Government had gone the length of admitting the expediency of allowing the question to be tried the moment an Act was passed. He would put it to them whether it was not better that the matter should be tested before the assent was given in a case where *bonâ fide* doubt existed as to the validity of the Bill? The alternative was that if this power was not given and the Imperial Parliament disallowed the Act, very critical relations might be raised between the Governments of the two countries. As a matter of expediency, the Government having, rightly as he thought, gone so far, they were bound to assent to the new clause proposed by his noble Friend. Upon these grounds, he submitted that a case had been made out for the proposal which that clause contained.

MR. A. J. BALFOUR: I think, Sir, we should have some explanation from the Government, for reasons which I will explain. I fully admit that many Amendments from this side of the House have had for their avowed intention the

minimising of the scope of the Bill; but there is another class of Amendments which are intended to make the Bill, if passed into law, work more smoothly. I support this Amendment as belonging to the second category. The Government will not be prepared to deny that one of the weakest points in the Bill is the extraordinarily ambiguous and difficult position in which it places the Lord Lieutenant. He will have to carry out functions partly as the Representative of the Sovereign, advised by the Irish Administration, and partly as advised by the British Administration.

MR. SEXTON: It is the same in the Colonies.

MR. A. J. BALFOUR: I will not discuss that point further than to say that when we consider the relations of this House—the Imperial Government, I should say—to the Lord Lieutenant, and those of the Lord Lieutenant to the Irish Legislature, there is a great difference between the Lord Lieutenant and a Colonial Legislature. Those functions which the Lord Lieutenant will have to perform are functions of extraordinary difficulty; and if the Government wish the Bill to work smoothly, they are bound to accept everything which will prevent undue and unnecessary friction between the Lord Lieutenant and the Irish Executive. If a Bill were passed by the two Houses of the Irish Legislature and doubts as to the legality of the Bill were raised in his mind, what course is he to pursue? If he exercises his prerogative and refuses his assent, he places himself in the most critical position with regard to the Irish Legislature and Executive in which a man professing to exercise Constitutional authority could be placed. Why, Sir, we know what would occur if he were to exercise his veto on a Bill affecting some vital matter in Ireland. There would be an agitation from one end of Ireland to the other denouncing his un-Constitutional action in refusing assent to a law passed by the Legislature. But if he had the power suggested in this clause, he could say—"I am quite willing to admit that the Bill may be all right, but let us submit it to a competent tribunal, and try its legality." If he did that, and the proposed Bill were pronounced *ultra vires*, he would be amply protected and justi-

fied in the exercise of his Constitutional authority, and no agitation need arise. That is the broad ground on which I venture to think that in their own interests the Government should accept this clause. What are the arguments against it? We are left to our own ingenuity in the matter. The Chief Secretary, as I understand, confines his attack almost entirely to certain technical objections. I confess I am utterly at a loss to understand what difficulty would be introduced into the working of the Irish legislative machinery by a provision so obviously innocuous. I would most respectfully press upon the Government the advisability of accepting a clause which would, as I am firmly convinced, make the relations between the various constituent parts of this very difficult and complicated machine they were to set up work together with far greater smoothness than they can possibly do if the Bill is left in its present shape.

MR. W. E. GLADSTONE: I do not see, Sir, the *primâ facie* grounds on which a proposal of this kind is made. The right hon. Gentleman seems to think that there is something peculiar in the nature of the case we are going to create which must produce conditions altogether new, and he is supported by the hon. Member (Mr. T. H. Bolton). I am inclined to the opposite view. What is the case? It is that of a subaltern authority, which is empowered to make laws for certain purposes. Upon some of the laws made by that authority the question is raised whether it is within its competence to make such laws. Is that a new case? It is the case substantially created wherever we have a subaltern authority empowered to make laws—in the case of a Town Council or Municipal Corporation, for instance. In that case you have the power to make byelaws, and the question of *ultra vires* is just as legitimate in regard to the byelaws and Ordinances of those Councils as in regard to the Statutes of the Irish Parliament. There is nothing new in the principle. The question is whether the clause in the Bill as we have placed it before the House is defensible; and, if it is not, whether the mode proposed for remedying the defect is good and wise. I am at a loss to see, even if we had made no provision at all, but had contented ourselves with saving all existing

rights, how it could be alleged that there was any great defect in the Bill. I do not know that the present law is essentially defective with regard to the means which it allows of questioning the validity of particular documents which claim to possess legislative authority. I am disposed to contend that the Government have gone a very long way in the direction of supplying what, so far as I understand the matter, it is not necessary to supply, but what we do supply out of that desire for which we never have had credit, but which has actuated us in a number of the provisions of the Bill—namely, to go to the extremest length that we could without absolute mischief in providing against the possibility of wrong which we believe to be in the main imaginary, and for the removal of defects which have not been proved to exist. We have left to every Irishman under the new law every provision which Englishmen and Scotchmen now enjoy for questioning the authority of the various kinds of subordinate legislation. But, Sir, we have gone a great deal further, and, in the interests of the public, have given, first to the Lord Lieutenant, and then to the Secretary of State, the power of trying the question of the competency or validity of any particular law. It is said we can go further. It is said we can do this wisely. But, Sir, is the proposition that is put before us sound in principle, or agreeable to the usual practice of the law? If a question were raised under an Act, it may usually be raised in a concrete form in relation to, or directed by, somebody who has suffered and is suffering actual wrong by the Act. But if we are to say that the question may be raised by the Lord Lieutenant before the Bill receives the Royal Assent, we are causing the question to be raised in an abstract form when nobody is injured, and when it is a matter of speculative argument what the effect of the Bill would be. Is a provision of that kind in consonance with the principles of our jurisprudence? Do the practical habits of Englishmen encourage the raising of legal questions in that form?

MR. A. J. BALFOUR: Section 20.

MR. W. E. GLADSTONE: I beg pardon?

MR. A. J. BALFOUR: It is done by Section 20.

*Mr. A. J. Balfour*



MR. W. E. GLADSTONE: I am very much obliged to the right hon. Gentleman. He is aiming to prove that we have already gone too far. Is there anything in the text of the law that admits this?

MR. A. J. BALFOUR: I do not say that. I only say that, as you already contemplate the principle that abstract questions should be brought before the Privy Council, you ought not to argue that that principle should not be extended further.

MR. W. E. GLADSTONE: I take it that the point where the right hon. Gentleman made his objection is the first point at which he saw occasion to interpose. The right hon. Gentleman does not deny that the spirit of our jurisprudence is against the raising of these questions in an abstract form, or that this proposition would have the effect of raising them in an abstract form. If the Government have already erred it is out of their desire to go to the extremest length in meeting the views of hon. Gentlemen opposite. But we have done it under safeguards, and the whole supposition in the section is—as the right hon. Gentleman will see if he refers to it—that the case would take a practical form, and that no one would attempt to disturb the Act until there was some practical reason in a case of individual oppression, or of some person being wronged. We do not think the Lord Lieutenant would be disposed to go further in the exercise of this power. He will wait for some practical reason to act, such as where individuals may suffer wrong. I do not deny the possibility that an abstract question might arise; but the clause contemplates very different things. Well, with regard to this Amendment, I would like to know what is the meaning of the phrase, “If any question arises”? What is the arising of a question? A speech from the right hon. Gentleman would be an “arising of the question” if he stated that, on a careful investigation and with the support of his friends on his right and left (Mr. Carson and Mr. Matthews), a matter in the Irish Legislature was *ultra vires*. It used to be a question in ancient times what constituted a valid doubt. That is a question on which the right hon. Gentleman would enter with zest and delight, and I recommend to the acute in-

vestigation of his metaphysical understanding the meaning of the phrase, “If any question arises.”

\*VISCOUNT WOLMER said, the words in question were taken *verbatim* from the right hon. Gentleman's own Bill of 1886.

MR. W. E. GLADSTONE: The noble Lord is well aware that between 1886 and 1893 seven years of human life have elapsed. To use a homely phrase, we should have had no gumption had we not taken advantage of those years to introduce improvement; but the noble Lord, in the true spirit of retrogression, goes back to the most ancient, the most petrified clause in the Bill of 1886, and flourishes it over our heads in a most menacing manner, even in the middle of a speech, and calls upon us to recognise its authority as if it were a law of the Medes and Persians which ought always to prevail. There is an utter vagueness and shadowy or rather foggy character in the clause, when it lays down the conditions by which the labours of the Irish Legislature are to be brought into question, and hung up at some vital period for many months, possibly for years, upon “a question arising.” I put the argument just now upon a speech by the right hon. Gentleman; but I put it a great deal too favourably for his views. It would not require a speech by the right hon. Gentleman. A speech from the smallest midge of a politician would be quite sufficient to enable anybody to go to the Lord Lieutenant and state that a question had arisen on which he would be bound to act. This would be a most convenient, tempting, and an habitual instrument of interminable obstruction in the way of legislation. So far as I can understand the Amendment, it is to put the Lord Lieutenant in conflict with the Irish Legislature. If the Lord Lieutenant interferes upon a Bill before it has become an Act he must interfere upon abstract grounds; he must allege largely his own discretion; he cannot point to practical consequences, and that is putting him into conflict with his legal advisers upon the very worst grounds that you possibly could. But if it is a question of an Act which raises practical questions of great importance to individual rights, and therefore to the public interest, the Lord Lieutenant has a standing ground to take even in the face of his own

advisers. If there should be a conflict, which I should much regret, between the Lord Lieutenant and his advisers, under the Bill, as it stands, if the Lord Lieutenant goes to his advisers he will go on something like substantive grounds; but if he has nothing to allege beyond his own abstract opinion he will be placed in a most dangerous position with his own advisers. I hope, therefore, considering that we have gone a great length, the clause will not be further pressed upon the judgment of the House.

\*MR. MATTHEWS (Birmingham, E.): It has occurred sometimes to some of us that the interval of seven years which has elapsed since the Bill of 1886 has not been employed by the right hon. Gentleman with sufficient reflection upon the difficulties to which his then scheme gave rise; but we now have a sufficient account of the manner in which the right hon. Gentleman has turned those seven years to his advantage. His mind has been contemplating these doubtful words, "If any question arises," and he has come to see the vagueness and insufficiency of those words. They are foggy, vague, and unsatisfactory, and form no basis for action. Permit me to say that I do not think the right hon. Gentleman has given a sufficient explanation of Clause 20 in his present Bill. It is perfectly true what the right hon. Gentleman says, that the genius of our English law has always been adverse to abstract questions, and, so far as I know, in this country there is no means of deciding the abstract question whether some Act be *ultra vires* until an actual case has arisen; but when the right hon. Gentleman was setting up a subordinate Legislature, with powers over the whole domain of the Civil and Criminal Law, but with certain restrictions upon it, it becomes of the utmost importance to see that the mischief which has arisen in the United States should not occur in Ireland, and that there should be some speedy way of ascertaining whether a law was *ultra vires* or not. In America the gravest consequences have followed from legislation which was *ultra vires*. Rights and duties have grown up under it, money has been expended on the faith of those enactments, and then, after 12 or 14 years of operation, has come the judgment that such act was void, and had conferred no rights whatever. That is the

inconvenience the right hon. Gentleman had to meet. Therefore, he did not content himself with the provision in the clause, which enables any private individual who believes that a law that is sought to be put into operation against him is *ultra vires* to appeal to the Exchequer Judges for a decision in a concrete case; but he put Clause 20 into his Bill. Now, what is the difference between Clause 20 and that suggested by the noble Lord opposite? It is perfectly right, in the view of the Prime Minister, that when a Bill is taken to the Lord Lieutenant on the Monday morning he should say—"I assent to this Bill to-day, but remember I am going to-morrow to appeal to the Privy Council to know whether the Bill is *ultra vires* or not." Not only may he do that, but he must do it under Clause 20. What an absurd position! The clause of the noble Lord simply proposes that that appeal to the Privy Council shall be made before the Lord Lieutenant gives his assent to the Bill. I think the theory is sound, that the Lord Lieutenant will have no option in giving his assent to the Bill. I think everybody will now admit that the veto of the Lord Lieutenant is a mere farce; it will be the Constitutional duty of the Lord Lieutenant to assent to any Bill which his Executive Council advise him to do. [Mr. SEXTON: Subject to instructions.] Yes, but independent of instructions. It is true that the Lord Lieutenant represents the Sovereign in Ireland, but he also represents the Imperial Government; and under Clause 20 it will be his duty, mechanically, to give his assent on the Monday morning, and on Monday afternoon to write to know whether the Act is valid. Practical men must think that an absurd position to put the Lord Lieutenant in. It would be a much wiser course, and would cause much less conflict with his advisers, to give him the power of first obtaining an authoritative opinion whether the Bill was a proper one to give his assent to? It cannot be held—even by the hon. Member for North Kerry—that, granting a Bill is *ultra vires*, it will be the Constitutional duty of the Lord Lieutenant to give his assent to a nullity. The clause now proposed will call in the interposition of the Privy Council at a more appropriate period, and will save the Irish Legislature from what may be called a

Mr. W. E. Gladstone

certain rebuff or reproof administered to it by the Privy Council if it passed into law a Bill that should be afterwards declared void. That is really the whole question that we have been debating. The point is a very narrow one—is the Lord Lieutenant to give his assent when he is aware or has reason to believe that he is giving his assent to a nullity, or is he to be able to take authoritative advice and ascertain whether his suspicion is well-founded or not? The further question which the right hon. Gentleman has raised, in criticism of his own language—namely, whether the clause ought to be more precisely defined than by saying “if any question arises”—is a Committee objection and not a Second Reading objection. I would submit to the right hon. Gentleman that the fact that the clause leaves it to the discretion of the Lord Lieutenant to act, whether the question does arise or not, is quite sufficient to safeguard it from the inconvenience pointed out. It will not be the duty of the Lord Lieutenant, under this clause as drawn, to act upon any slight or immaterial matter; it will be only in a grave matter that he will refer to the Privy Council. To prevent a void and *ultra vires* Act from becoming the law of the land surely must be recognised by everyone as a desirable thing. One might conceive instances of a Statute which upon the moment of its passing would operate to divest rights, and even to transfer property from one man to another; but if a Bill be *ultra vires* and void, surely it is better to stop its operation *in limine*, and not wait for the Act to be passed. These reasons appear to me to be conclusive, and if the noble Lord goes to a Division I shall support him.

MR. CLANCY (Dublin Co., N.) said, he did not understand how a Lord Lieutenant could be aware beforehand of a Bill being *ultra vires*. The right hon. Gentleman had said that it would be very anomalous and a bad thing if the Lord Lieutenant assented on a Monday morning to a Bill, and on the following morning referred it to the Judicial Committee of the Privy Council; but it would be better—ten times better—to do that than to take the opposite course. To pursue the opposite course would be extremely dangerous. When the Lord Lieutenant assented to a Bill on the

Monday he had thereby discharged all his essential functions. He avoided all friction between himself and his Constitutional advisers in Ireland; and if afterwards the Bill was declared by the Judicial Committee of the Privy Council to be void, no irritation need be felt, because it would be seen on all sides that the law had taken its course, and that the law had decided against the Bill. He repeated that it would be ten times more dangerous to pursue the course which the right hon. Gentleman suggested. The Leader of the Opposition had referred to particular clauses and Amendments on the Bill. The first, he said, were those which were avowedly meant to minimise the Bill, and he referred to the second class of Amendments as Amendments that tended to the smooth and easy working of the measure. Well, he really thought, when the right hon. Gentleman said that, that it was rather comical for the right hon. Gentleman to support any Amendments which his noble relative would ask the House of Lords to throw out in three weeks' time. For his part, he took a less charitable view than that which the Prime Minister had taken of the right hon. Gentleman's declaration regarding the Amendments of the second class. The former class of Amendments, which were avowedly meant to diminish the Bill, were not dangerous, for every genuine Home Ruler had his back up against them at once. It was the second class of Amendment—those that tended to the easy and smooth working of the measure—that they feared, and he regarded this one as one of the most dangerous of the whole lot, and was extremely glad that the Prime Minister had taken, as he humbly ventured to think, the correct view of the case. This Amendment was really one for bringing into the working of the Irish Constitution an instrument of delay. Supposing there was a Bill on some important Irish subject urgently required by the Irish people, if this new clause were adopted, that Bill, although it might not be *ultra vires* at all, would be actually dead for a year or two or three years until the Privy Council had decided whether it was *ultra vires* or not. If this new clause were enacted he thought it would be an instrument, in the first place, for creating intolerable delay in the

passing of useful legislation, and, in the second place, an instrument well adapted for its purpose of wholesale intrigue in England on Irish matters. Suppose a certain Bill were proposed in the Irish Legislature and carried, and a Tory Government were in power in England, if the Amendment were carried, it would be quite possible for this Tory Government to delay it indefinitely on the pretence, forsooth, that it was *ultra vires*. The very best that could happen would be that after about two years the Bill might become law, and it would consequently be jeopardised thereby. He agreed with the right hon. Gentleman the Member for Bodmin (Mr. Courtney) that the Government had gone very far indeed in the 1st sub-section of this section. He agreed, for his own part, that it would be quite enough to allow any subject of the Queen who might be injured by legislation in Ireland full and ample opportunity to appeal to the Courts of Law, to carry his appeal from the Exchequer Judges to the Privy Council. He thought that would be an ample and sufficient safeguard for any person who might think himself injured by Irish legislation, and that was what took place in Canada and other great Colonies. Only the other day the Judicial Committee of the Privy Council was called upon to decide a question of *ultra vires*. It was in the case of an Act passed by the Canadian Legislature, and the Privy Council had it before them to decide. That would be ample protection. But the Government Bill went much further. It provided for a case in which no wrong had been suffered. He thought that to go any further than that was to make a mockery of the whole Constitution so far as the veto and other vital parts of this measure were concerned. Either this power would be exercised or it would not. If it was not to be exercised, the thing would be futile. If it was to be exercised—and he had a strong suspicion that those persons who desired to discredit the Irish Legislature would exercise the power vexatiously—then the result would be Constitutional friction between the Lord Lieutenant and his advisers which might result in the breaking up of the whole Constitution. It seemed to him that this Amendment, if it were carried, would change the veto; and he thought, instead of

*Mr. Clancy*

rendering smooth and easy the working of the Constitution, it would introduce into it an instrument first for causing delay, and next for causing wholesale intrigue. It was said that great expense would be attendant upon the trial of these questions at the suit of private individuals; but that was not a novel thing. It happened every day in the case of the Colonies, for people went every day from the furthestmost parts of Australia to the Judicial Committee of the Privy Council, and it was not considered a very anomalous thing that they should be bound to do so. As compared with the political dangers which might be involved in the adoption of this clause, the question of expense did not deserve to be taken into consideration at all. The right hon. Member for Bodmin asked what was to be done in a case of doubt? He replied by asking what was done every day in the case of the Colonies? Finally, he would say this—that it seemed to him to be a strictly unconstitutional proposal. The proposal actually was that, after the two principal parts of the Irish Legislature—the Upper and the Lower Houses—had assented to a Bill, the Lord Lieutenant, the third person, should come in and actually set aside their decision. It seemed to him to be a strictly unconstitutional proposal—a proposal for creating delay in matters of legislation in the first place; and, in the next place, a proposal for disturbing the Constitutional settlement which they hoped might be permanent and final.

MR. RENTOUL (Down, E.) said, the last speaker had stated that, of the two classes of Amendments that were referred to by the Leader of the Opposition, the one to which he more particularly objected was the class of Amendments which were intended to make the Bill work more smoothly and easily. The hon. Member need have no fear with regard to Amendments of that sort, because he did not think there was the slightest chance of the Bill working smoothly or easily from any point of view. The Prime Minister and the hon. Member who had just sat down ignored altogether the fact that the word “may” and not the word “shall” was used in the proposed clause, and all the arguments of the Prime Minister seemed to him to apply more to the employment of



the latter than the former word. Any frivolous or absurd objection would, of course, be ignored by the Lord Lieutenant, and no appeal in such cases would be allowed by him. That was the common practice in the Courts of this country every day; the Judge only granted the right of appeal when he himself considered that there was reason for doubt. The Lord Lieutenant, who was supposed to be a carefully-chosen official, and a man of common sense who had his reputation at stake, would only allow appeals when he himself had serious or grave doubts with regard to the matter. The Prime Minister urged that, under this Amendment, people would raise abstract questions before anyone was injured. Did the right hon. Gentleman desire that someone should be injured before a question was raised? The right hon. Gentleman had remarked that if the proposed clause were adopted, Bills which had been passed by the Irish Legislature would be hung up for months. That, however, would only be the case when the Lord Lieutenant, in the exercise of his discretion, directed that they should be submitted to the final decision of the Privy Council. Nothing could be more absurd than making the Lord Lieutenant declare he had no doubt whatever that a Bill to which he had given assent was *ultra vires*. The Lord Lieutenant would be reduced to the position of a mere machine, and to talk of his veto under the circumstances was ridiculous. This question was raised on the Committee stage; and he thought, from the admissions made on the Government side, that when they came to the Report stage some such clause as this would be accepted. The Prime Minister had not said a single word that applied to this clause as it stood at the present time. He failed to see that the postponement of any measure brought in by the Irish Parliament for a few months, in order to bring it before the Privy Council, would injuriously affect any class of persons; but he did see that the greatest possible damage might arise if Acts were passed by the Irish Legislature and were treated as the law, and were subsequently declared invalid. In 1886 the Government considered this clause a wise and proper provision, and he hoped they would see their way now to accepting so reasonable a proposal.

Question put.

The House divided:—Ayes 128; Noes 173.—(Division List, No. 262.)

MR. CARSON (Dublin University) moved, after Clause 12, to insert the following clause:—

(Appointment of Imperial officers.)

“Immediately after the passing of this Act Her Majesty shall appoint in Ireland such person or persons as she may deem necessary to represent Her Majesty to enforce on her behalf and in her name any Imperial right or interest, and the provisions of any Act of Parliament or any common law rights which the Irish Government have refused or omitted to enforce, and so many officers as Her Majesty may deem necessary for the due execution of any decision or order of the Privy Council, or of any judgment decree or order of the Exchequer Judges and the said last-mentioned officers, and also any persons employed by them shall be entitled to the same privileges, immunities, and powers as are by law conferred on a Sheriff and his officers.”

He said, the Home Secretary had conceded in the Debate on the Second Reading that it would be necessary to have in Ireland such Executive Authority as would be required for the execution of the Imperial law, and by the clause he proposed to set up this Executive Authority. He thought it would be conceded by everybody who understood the Bill that, unless they provided themselves with proper machinery for the maintenance of Imperial interests in Ireland, they must have such friction between the Imperial Legislature and the Irish Legislature as would lead to constant unpleasantness, or to the abrogation of those rights which they had taken so much trouble to construct. The general structure of the Bill, as was stated in his speech on the Second Reading by the Home Secretary, was very much the same as existed in the United States. So far as he knew, this question of keeping up Imperial Executive officers could never have arisen in our own Colonies, because the Constitutions of those Colonies gave them full and equal powers, such as this Parliament had itself, subject, of course, to the veto. The only parallel they had for the Constitution they were now setting up in Ireland was the Constitution of America. It had been taken from the American Constitution; but why did not the Government follow the provision of the American Constitution, which set

up a Federal Executive in each State? The Home Secretary said—

“In my judgment the Executive in Ireland is intended to be, and must be, dependent upon, and responsible to, the Irish Legislature; but that does not in the least prevent the retention, as is expressly provided in this Bill, by the Crown and the Executive Government of the United Kingdom of such Executive authority as is necessary for the execution of the Imperial law.”

Why did the Government, when they were setting up this system, fall short of the provision of the American Constitution which provided for such matters as he proposed to provide for by this clause? The highest authority upon these questions, the Chancellor of the Duchy, in his great work on the American Constitution, said—

“Collision is avoided by giving the Federal Government, so far as its functions extend, a direct and immediate relation to the citizens, so that it should act, not through the States, but on its own authority, and by its own officers. These are fundamental principles, whose soundness experience has proved, and which will deserve to be considered by those who, in time to come, may have in other countries to frame Federal or *quasi*-Federal Constitutions.”

That occurred to him to be exactly appropriate to the present clause. That clause dealt with two matters. They admitted that they had set up—though, he (Mr. Carson) thought, in a very imperfect way—the Court of Exchequer Judges, under the 17th section, for the protection of Imperial matters. They admitted that the Court was to have cognisance of all matters that were passed by the Irish Legislature. But they objected that they had no provision, as in the American States, to put the law in motion, or for the purpose of putting in force the judgments or the decrees of the Privy Council or the Court that was set up. It seemed to him that this paralysed the whole action of the system they had put into this Bill for the purpose of preserving the Imperial authority. He wished to take one or two cases which, if this Bill became law, might have to be decided by the Irish Court. Numbers of Acts of Parliament directed the Attorney General to do certain matters. A very large amount of money had been advanced by Ireland to England—

An hon. MEMBER : England?

MR. CARSON said, he meant from England to Ireland. No one would

*Mr. Carson*

think he was assuming or taking it as from Ireland to England. Well, a very large sum of money had been advanced from England to Ireland in connection with the Land Purchase Acts. A large amount of money was now due under these Acts. The Statute under which that money was lent provided that, in the event of the amounts not being paid, certain proceedings must be taken in the name of the Irish Attorney General. Times might come when Irish farmers might not be able to meet the demands of the Imperial Government. The Bill, however, did not provide for the continuance of the Irish Attorney Generalship. Here was an Imperial debt in which the Irish Government had no interest whatsoever. Would the Irish Government have to screw the money out for the purpose of paying the Imperial Government, the matter being one with which the Irish Government had nothing to do at all? Or were the Irish Government to do nothing? And was there to be no remedy for the recovery of these moneys, or for putting on Imperial pressure? They surely must have someone to enforce these charges. It would be, he took it, absolutely necessary to enforce them. That was one of the considerations that he wished to force upon the Government. He would next take the case of the Customs. In the administration of those certain duties devolved upon the Sheriffs in Ireland. Would the Sheriffs continue, and, if so, would they exercise those powers and perform those duties that now devolved upon them? Would they be Imperial officers, or would they act under regulations by an Irish Act? It would be an extraordinary position for the Sheriffs if they were to be both Imperial and local functionaries, as their performance of the duties under the Imperial Government might bring them into conflict with the Irish Government. He would remind them that they had the Customs specially reserved, and that ought to enable them to see the difficulty that might arise; and he asked was it not likely, under such circumstances, that they would have a collision between the two Governments? Was it likely that the Imperial Government could insist upon carrying out the law, although they had nothing whatever to say as to the administration of the law? Again, it seemed to him that,

in a great many cases where the Attorney General had duties thrown upon him, he might enter a *nolle prosequi*. He might say that a particular case was no business of theirs, and that he was not bound to take the initiative. In his (Mr. Carson's) opinion, where a point of that character might arise, they should make provision for preserving the law as it now stood. If they took a case in which they had laid down that the matter was an Imperial one, who was to set the law in motion—a case in which the Irish Government were not to interfere, and the Imperial Government was to have complete control? They must have some Executive Authority in Ireland to watch these matters on behalf of the Imperial Authority, and to see that these matters were not infringed upon. He did not think the attitude of the Government was a serious way of treating the matter. There ought to be, as in the American States, an Executive officer whose duty it would be to look after these Imperial matters and proceedings, to set the law in motion, and have the question at issue brought before the Exchequer Judges. Coming to the Exchequer Judges, he wanted to know how they proposed to deal with the Privy Council and the Court—how were the decrees to be carried out? The Home Secretary (Mr. Asquith) suggested a plan, the meaning of which was that, if a collision occurred, they were to come over here (to Westminster) and bring in an Act. It seemed that all they had to do was to bring up the Bill and have it passed at once; that, he thought, could not be done, and all the time the collision would be going on and the law would be paralysed. How were they to pass their Bill with 80 Irish Members in attendance here?

MR. J. MORLEY: Not all of them.

MR. CARSON said, he would take a case such as they had at present—say a majority of 20, made up of Irish Members, and that, under the circumstances to which he alluded, would be quite certain. These Members would be here keeping the Government in power upon English questions, and asking, in return, that they should be served in these Irish matters. Even supposing they were not a majority, they could prevent the Bill passing, and thus, as he had said, the law

would be paralysed in Ireland. Why should they wait for that? Why should they depart from precedent; why should they not keep to the course which would prevent friction? But the Home Secretary told them that he did not anticipate any such necessity, as it would be the duty of every Sheriff and other officer to give assistance in carrying out the decrees of the Exchequer Judges, and the laws of the Imperial Parliament. It did not follow that this duty would be performed. It did not follow, because a law was passed requiring a citizen to do a certain thing, that, therefore, the citizen would do it. The theory was excellent in point of law, and he thought he (Mr. Carson) and the hon. and learned Gentleman (the Solicitor General) would be agreed upon the point. But they had had experience of the *posse comitatus*. What provision had they made in the Bill—what machinery had they provided—for dealing with the jurisdiction in criminal cases as exercised in the Bill? He took the case of somebody being tried for a breach of the Coinage Act. This was a very common case in Ireland—it arose at every Assizes. All the prisoner had to do was to say that he required to be tried by the Exchequer Judge, and the trial would then be postponed until the Judge came down, or until the prisoner was brought up. His opinion was that the Judge would have to go down, as the prisoner would have to be tried at once upon a matter which was Imperial. The Irish Legislature would have nothing to say. But, on conviction, they would have to take the prisoner, and put him into an Irish gaol. He would refer the Government to the case of America, when Federal gaols had to be established. They knew what happened in that case. The gaols were established in cases where a disposition had been shown to thwart and conflict with Congress; and he thought they might have in this case the same result. There would be nothing to prevent the Irish Government throwing open the doors and letting the prisoners go free. When he was told that there was no probability of improper action being taken, he could call to mind the case of the Dublin Corporation, whose duty it was on one occasion to hand over the presentment for the purpose of raising taxes for the Richmond Lunatic Asylum. There was a

dispute between the Corporation and the Executive Government with regard to the number of Roman Catholics on the Asylum Board, and, because their wish was not granted, the Corporation refused to pass any presentment at all. The Judge took the presentment and signed; but the Corporation had other presentments issued and collected by their collector, tearing up the presentment which had been signed by the Judge and refusing to allow it to be collected. These were extreme measures; but they were adopted by the Corporation in order to get rid of certain restrictions. He did not blame the Corporation for trying to have an increased representation of Roman Catholics, but what had happened showed the lengths to which they were prepared to go. He thought, therefore, they should have an assurance upon the point. So far as the Bill was concerned, they had given it the go-by; but if they were to have afterwards the power to carry out the Imperial Executive system which the right hon. Gentleman the Home Secretary said was essential, they ought to have an explanation. They ought to know whether the supremacy was to be a real one or not—whether the system would be a real one or not. The clause he had attempted to frame was nothing new. It was founded upon the precedent they had, and upon their experience in relation to the United States. Even the right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce), who had dealt with the matter in his work on the American Constitution, would admit that this was the only way in which they could proceed in reference to these subjects.

Clause (Appointment of Imperial Officers,)—(*Mr. Carson*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

\*THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, the hon. and learned Gentleman had on this occasion referred now and then to his clause, but the greater part of his speech was directed to difficulties already existing in Ireland, and his complaint appeared to be that the Government did not eradicate all those difficulties by their Bill. He spoke

*Mr. Carson*

of the action of the Corporation of Dublin with regard to lunatic asylums; but what remedy had he suggested for a case of that kind? There was nothing in the Amendment which would affect the state of things such as arose under the present law. The hon. and learned Member also spoke of the difficulty that arose because the *posse comitatus* was not always in harmony with the Executive officers. Would his Amendment alter that state of things, or have the slightest effect upon it? What was the use of referring to the difficulty as to the *posse comitatus* in reference to a clause that could not have any application at all on the state of things. They had had what were supposed to be defects in the Bill pointed out to them. Well, of what advantage would the Amendment be to them? He was obliged to discuss the Amendment to show its inconsistencies, and how utterly ineffectual it would be. He supposed he should be told presently that this was a technicality, because what was understood by right hon. Gentlemen opposite as a "technicality" was a close argument, whereas the argument of hon. Gentlemen opposite was simply a derision of the Government proposals they might happen to be dealing with, and an indulgence in generalities that never came to an end. The suggestion was that there must be two Executives in Ireland. He did not agree with that. He quite agreed that there might have to be, but not that there must be, two Executives, because they were entitled to believe that the Bill would be suited to the wants of Ireland, and that, instead of being a cause of discord, the Bill would bring about harmony. That, certainly was the principle on which the Bill had been framed. They did not talk about "angelic tempers."

MR. CARSON said, he had not said a word about angelic tempers. He had referred to angelic theories or arguments.

SIR J. RIGBY said, some one else had used the phrase, and he had meant the same thing as the hon. and learned Gentleman, for angelic temper or argument, he supposed, meant angelic disposition. He had never said a word about it, and did not intend to. He would assume that under the new state of things, when it was brought about in Ireland, the Irish



people would be guided by the motives which actuated human nature all the world over. He went no further than that. He did not assume that the Irish Executive necessarily set itself against Imperial interests, or would do other than attempt to forward the interests of the Irish people. In most of the cases referred to by the hon. and learned Member the Irish Executive would have a direct motive of pecuniary interest of a most important character. The hon. and learned Gentleman referred to those moneys which were owing from people in Ireland under the Local Loans Acts, and so on, to the Imperial Exchequer, and the hon. and learned Member assumed that the Irish Government would take a view adverse to the Imperial Exchequer, and that, therefore, it was necessary in the Bill to make provision for such a state of things. What were the existing provisions of the Bill? These monies were to be paid by the Irish Exchequer to the British Exchequer.

MR. CARSON said, he had not spoken about local loans at all. He had referred to loans lent direct to individuals by the Board of Works, acting for the Treasury.

MR. SEXTON: It is all the same thing.

\*SIR J. RIGBY said, he did not pretend to have an exact knowledge of these financial arrangements. But to deal with other matters the Irish Executive had a direct pecuniary interest in the Sheriff's duties in support of the Customs, a larger interest than the Imperial Authority, inasmuch as they got two-thirds of the money collected, while the Imperial Government received only one-third. He did not talk of theories of any kind, but held that where their pecuniary interest was involved the Irish Executive might be expected to act in accordance with common sense. Therefore, he submitted that no *prima facie* case had been made out for the necessity of two Executives existing side by side in Ireland, the one confined to the execution of Imperial enactments and to the protection of Imperial interests, and the other standing aloof and holding itself absolved from any assistance for Imperial purposes. He submitted that what they might reasonably expect to see in Ireland was what had in this respect taken place in Canada, where there was

no necessity for a duplication of officers on the large scale now suggested. When anything was wanted to be done the Dominion Government applied to the local Executive, and found no difficulty about the matter. He did not know that the local Executive would take on itself any great amount of expense or trouble, but that would be decided by the arrangement that would be made. On the hypothesis of hon. Members opposite they would be the worst enemies of the Imperial Government, and on the hypothesis of the Government they would be content not to interfere, and he should hope that they would be quite willing that the time of their officers should be devoted to a useful purpose—useful to Ireland as well as to Great Britain—that of assisting the officers of the United Kingdom. If they did not, there was the remedy pointed out by the hon. and learned Gentleman. He (Sir J. Rigby) had a word to say about the United States. Surely it was not necessary to point out the great distinction that must necessarily exist between the Constitution of the United States and the proposed Constitution of Ireland. The Federal Government in the United States had to do with a series of Sovereign States; but Ireland, from the beginning, would not be any less a part of the United Kingdom than it was now. Ireland would remain to all intents and purposes a portion of the United Kingdom, though within a very wide, but, at the same time, a clearly defined and limited sphere, it would be able to make laws for local purposes. There was no analogy between that case and the position which was occupied, according to the States Constitution, by the Federal Government in a Sovereign State. After the Act passed there would be in Ireland a full and complete staff of officers, some of them Customs officers, over whom, he took it, that the Irish Legislature would have no jurisdiction whatever. With regard to them the position remained unaltered. They were servants of the Imperial Government, and so they would remain. There were many of them who had duties, partly local and partly Imperial, to perform. Why should that be altered? How would the House get rid of their obligation to fulfil duties towards the Imperial Government in respect of

matters that were not within the jurisdiction of the Irish Legislature? It was said that they were to serve two masters. That would not be the case in any sense in which the direction or orders of the two masters might come into conflict; but at the present day, throughout the Civil Service, it was a common thing for an official to obey the instructions of several masters, each one representing a department of Government. He saw no reason to suppose that any difficulty would arise in Ireland where there were two sets of duties to be performed—one exclusively local and the other concerning the Imperial Revenue. Without being at all unduly sanguine, it was obvious that the very hypothesis of the Bill was the assumption that it would not create violent antipathies in Ireland, but would do away with them. It was brought in for that purpose, and those who did not believe in it voted against it as a matter of course. He could not imagine a man voting for it unless he thought that the reasonable hypothesis was that dissensions and difficulties would presently be got rid of in Ireland by the operation of it. And it was upon that assumption that the whole Bill was recommended to the House. It was on that assumption that the Government supported and maintained the Bill. He said, then, that it might be possible, but that it was by no means certain, that particular officers would be required in Ireland for the purpose of protecting and safeguarding Imperial interests. If that were so, what was there to prevent that being done without a clause in an Act of Parliament? Unquestionably, where a duty was cast upon the Executive Government, it had the power to appoint agents for fulfilling that duty. Granted that they must come to Parliament to get money to pay those agents. That was the common case in our Civil Service in this country, as it would be in Ireland. They must come to Parliament. How would it be under the Amendment? The Amendment was altogether useless in regard to the payment of the salaries of these officers. It made no provision for the payment of the officers; and, therefore, it did not alter the existing state of things at all. The Amendment provided that the officers should be appointed, but the salaries would be dealt

with in the ordinary way by the Treasury, sanction for payment being given in the ordinary way by the House of Commons. The Amendment pre-supposed a condition of things which the Government could not assume, and proposed a scheme which, so far as it would be effective, the Government could not for a moment accept. The Amendment provided that the appointments should be made immediately after the passing of the Act. That was long before the appointed day, and before there could be any experience to go upon as to the necessities of Ireland. The scheme was an unbusiness-like one, an impracticable one, an expensive one, as it necessarily must be—so that it was one which, in all respects, ought to be rejected by the House. The appointments were to be made immediately—"such persons as Her Majesty may deem necessary." On what data was this conclusion to be arrived at? The clause said—

"To enforce on her behalf, and in her name, any Imperial right or interest and the protection of any right of Parliament, or any Common Law rights which the Irish Government have refused or omitted."

So that the poor Irish Government, before it came into existence, was to be charged with having refused or omitted to perform duties; or else there must be supposed an exact knowledge of the extent to which its failure to perform duties would extend. He did not say that a case might not arise in which it might be necessary or advisable to appoint agents to protect Imperial interests in Ireland; but could that be done beforehand, without knowledge or experience? There might be some who thought this a reasonable and practical scheme, but their views, at any rate, were not shared by the Government. The Amendment went on to say—

"As many officers as Her Majesty may deem necessary for the due execution of any decision or Order of the Privy Council."

It might be said that this was technical, but, at any rate, he thought that the framers of the clause ought to take the trouble to bring their language into reasonable Constitutional form. He did not know what was meant by an Order of the Privy Council. The Judicial Committee of the Privy Council advised Her Majesty to make an Order, but the Committee did not make the

*Sir J. Rigby*

Order. In an outside way it might be called an Order of the Privy Council by people who did not profess a knowledge of these affairs, but where they were framing that which they wished to become an Act of Parliament they should adopt language which would be understood in Courts of Law. And, furthermore, wherever anything had to be done under an Order, whether an Order of Her Majesty in Council or of the House of Lords, the regular and proper way was for the Order to be sent down to be made an Order of the Court from which the appeal proceeded. In the present case going to the Exchequer Judges the Order would direct them to carry it into effect as if it were an Order of their own. It might be that it would be necessary to make a formal motion when the Order got down to that Court. It was so with them in the Chancery Division. It had evidently not been worth the while of the hon. and learned Member to put his clause into a practical form. It was quite enough for him if he drew a clause dealing vaguely with some small portion of the question about which he had been so eloquent and leaving everything else untouched. The provision of the clause that there should be officers appointed to carry into execution the Orders of the Exchequer Judges was already contained in almost identical language in Clause 17.

MR. CARSON: The Judge appoints under Clause 17. That is what I object to.

\*SIR J. RIGBY said, the Judge would be the man who understood all about the matter—the man who was on the spot. The hon. and learned Gentleman's alternative proposal was that Her Majesty in Council should, immediately after the passing of the Act, appoint men when they might not be wanted, and pay them in spite of that fact. So far as the clause of the Government differed from that of the hon. and learned Gentleman it was infinitely preferable. The clause in the Bill was practicable, whilst that of the hon. and learned Gentleman was unreasonable and utterly impracticable. He had carefully followed the cases brought forward by the hon. and learned Gentleman, and had seen that they might be cases which in future might cause some little difficulty, and might even require legislation, but the pro-

posed clause would not touch one of them. It would not be of the slightest use in regard to the Attorney General for Ireland, for instance. He (Sir J. Rigby) had certainly said on a former occasion what had been attributed to him with regard to prosecutions instituted by a Government Department independently of the Attorney General, and he did not at all acquiesce in the soundness of the answer that the Irish Attorney General, supposing he were appointed by the Irish Executive, would, by virtue of that appointment, have power to override such proceedings. The Attorney General was a very powerful man when he acted in the name of the Crown, but neither in theory nor in practice would he have the sort of power or authority which was attributed to him by the hon. and learned Gentleman.

MR. CARSON: Who would then enter the *nolle prosequi*?

SIR J. RIGBY said, he presumed that if the Government initiated the prosecution no one except they could enter a *nolle prosequi*. If, however there was a difficulty, the proposed clause did not by one inch advance along the road of getting rid of, or even alleviating, that difficulty. Assuming that the question of prosecuting in a case of counterfeit coin was an Imperial matter, he contended that no officer of the Irish Executive could interfere in the business, even though he bore the title of Attorney General. With regard to those matters—in respect of which this clause, if inserted in the Bill, would make provision—they had already been provided for, and whilst the provisions of the Common Law and of the Bill were reasonable and practicable, the others were unreasonable and impracticable.

\*MAJOR DARWIN (Staffordshire, Lichfield) said that, as he had listened to the speech of the Solicitor General—

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

\*MAJOR DARWIN (resuming) said, that the old argument to which they had been so much accustomed ran through the speech of the Solicitor General—the argument, or rather the assertion, that if the Bill became law they would be bound to trust the Government that



would be established in Ireland. The Solicitor General declared that they might be sure that the Irish Executive would forward Imperial interests. But the Bill contained safeguards and precautions which showed that the Government even were not perfectly certain that the Irish officers would always support the Imperial interest. In one part of his speech the hon. and learned Gentleman said he could conceive that certain cases might arise in which the Imperial power would not be properly maintained in Ireland, and also said that the difficulties which now existed in Ireland would not probably be cleared away for some little time. If it were once admitted that there would be cases in which the Imperial Authority would not be properly maintained, that was a sufficient argument in favour of establishing a proper Executive in Ireland for the maintenance of the Imperial Authority of the realm. The Solicitor General had not suggested how, in his view of the case, the Imperial Authority in Ireland was to be maintained. Nothing came out more strongly in the course of these Debates than the different views on the Ministerial and Opposition sides of the House as to the meaning attached to the words "Imperial supremacy." On the Government side of the House the words meant simply an abstract right. Amongst the Unionists they meant not only a complete abstract right, but the power to enforce that right in every way and under all circumstances. Everyone knew that that right could not be enforced without a proper organisation, and the object of the clause before the House was to provide that there should be a complete organisation in Ireland for all Imperial purposes, and available in all possible circumstances to support the Imperial will. He would discuss the matter in the spirit that the Imperial power in Ireland was likely to be maintained. Personally, he did not believe that it would be maintained; but, assuming that it would be, it was necessary that they should have in Ireland an established system to make certain that in all circumstances that power would be felt. The Solicitor General also said that the Civil servants in Ireland were certain to carry out Imperial dictates as well as their local duties, just as in England the Civil servants often had to serve two

Departments. But surely there was an absolute difference between the two cases. In England, if Civil servants served two Departments, both Departments were under one Executive responsible to the Parliament of the United Kingdom. The Civil servants in Ireland would really be serving two distinct masters—the Irish Executive and the Imperial Executive; and it was well known that a person could not serve two masters without giving rise to considerable friction. He had lower down on the Paper a clause somewhat similar to the clause which had been moved by the hon. and learned Member for Dublin University (Mr. Carson). Both clauses dealt with the subject of establishing more thoroughly some form of Imperial organisation in Ireland. As he had reason to believe that his clause, being so like the clause of the hon. and learned Member for Dublin University, would be out of Order, and that he would not have the chance of moving it, he would take that opportunity of placing his views on the subject before the House. The first part of his clause declared that the Lieutenants of counties in Ireland should be appointed by the Lord Lieutenant as representing Her Majesty. The Lieutenants of counties were now appointed by the Lord Lieutenant and their commissions were issued through the Home Office. These Lieutenants of counties were, to a certain extent, military officers and they would have this extraordinary anomaly in Ireland: that military officers would be appointed by the Lord Lieutenant through the Home Office, and not subject to any military discipline, and they would, he thought, practically become the servants of the Irish Executive if no alteration was made in the Bill. His desire was that Lieutenants should be the servants not of the Irish Executive, but of the Imperial Executive. This could be done by declaring them to be Imperial officers, or by transferring their military duties to other officers who would be under Imperial authority. The duties which the Lieutenants of counties had to perform showed that they ought to be only the servants of the Imperial Executive. There were only two of these duties which he would allude to. The first duty was that the Lieutenants of counties had the nomination of Lieutenants of the

Militia. If the Lieutenants of counties became the servants of the Irish Executive they might be certain that the character of the Irish Militia battalions would be altered by the change. The officers of the Militia would be drawn from the Nationalists, who desired a greater separation between Ireland and England; and the result of that class of officers being in charge of the Irish Militia would be that the Militia would gradually become of a more Nationalist character, and would in time come to have distinctly Nationalist aspirations. The Unionists held that the Nationalist Members accepted the Bill *pro tanto*, and intended to use it as a lever for a greater separation, and, therefore, he need hardly point out to them the great danger of having a Militia in Ireland whose aspirations were strictly Nationalistic. He should also like to point out another objection to having in Ireland a Militia with Nationalistic aspirations which ought to influence those British Members who supported the Home Rule Bill. If the Militia became Nationalistic in its character they might demand, in times of emergency, that they should only be employed in the defence of Ireland, which would mean an unfair distribution of the Militia forces of the United Kingdom for war purposes. When a military officer set himself to the task of distributing the Forces of the Crown for the defence of the United Kingdom he would not consider for a moment whether there was any political division between Ireland and England; his only consideration would be what parts of the country were likely to be attacked, and what were the strategical points. It so happened that there were many strategical points in England and few in Ireland, and, therefore, the Irish Militia should be transferred to England in the case of mobilisation for war. Hence, if the Irish Militia demanded to be kept in Ireland it would cause a considerable additional expenditure to this country, because the Irish Militia, not being available in England, the Forces of the Crown would have to be supplemented in some other way. The second duty of Lieutenants of counties, which ought to be performed by Imperial and not by local officers, was in regard to the balloting for the Militia. In a great national emergency every man was bound to serve in a general levy, which in England and Scotland was regulated

by local Militia Acts and in Ireland by the Militia Acts. The local Militia had not been called out since 1815, and at that time it formed a distinct Force from the Militia Force now embodied. By the Militia Act of 1882 the jurisdiction, power, duties, and privileges in relation to raising a local Militia by ballot was retained to the Lieutenant of counties. To his mind, that provision showed that it was felt to be necessary to have an Imperial officer in each county to represent the Imperial authority in regard to this balloting for the Militia. In times of national crisis there must be unity of command and action, and therefore it was absolutely necessary that the officer charged with the work of organising the ballot for the Militia under the Militia Acts should be directly under Imperial and not local authority. If they put an officer of local authority in charge they might be perfectly certain that in times of crisis the machinery for dealing with the Militia would break down. There were reasons which made it absolutely necessary that the Lieutenants of counties should be Imperial officers. The second part of his clause, which he would have moved had it been in Order, related to certain other civil duties which had to be performed in connection with the Army. Under the Acts organising this balloting for the Militia the greater part of the duties were performed by the local constables. His desire was to leave the performance of those duties to the local constables, but to take power to replace them by Imperial officers in case the local machinery broke down in any way. It had often been pointed out in the course of the Debates that the Army would as a last resort assert the Imperial supremacy in Ireland. For instance, the Home Secretary had said—

“It really is taxing one's credulity to ask one to believe that a power . . . which has complete and absolute control of the whole of the Military and Naval Forces of the Crown . . . will not be able to enforce to the last extent every power it possesses.”

That statement implied the possibility of the Irish Executive not assisting the Imperial power, and that the Army might be employed under certain circumstances to maintain the Imperial supremacy. In the Army Act of 1881 there were provisions for billeting troops,

and for the impressment of carriages, and in these matters the local Magistrates and constables played an important part. The House of Commons had never been much in favour of billeting or impressment, and the fact that the provisions remained in the Army Act of 1881 clearly showed that it was thought absolutely necessary that there should be some local authority invested with the power of carrying out the billeting of troops and the impressment of carriages. Not only was there nothing in the Army Act which enabled a military officer to perform the duty of billeting, but the Act declared it illegal for an officer to have anything to do with billeting. If the local Magistrates and constables refused to act, it would not be possible without this clause or some such provision to march the troops legally through Ireland. It was therefore necessary that they should have in Ireland an Imperial officer who would discharge those duties under the Army Act of 1882. He confessed that this whole subject was full of difficulties; but in the clause of the hon. and learned Member for Dublin University, and the clause he had put on the Paper, those difficulties were faced and not shirked. He considered the proposals in his clause justifiable in order to minimise the risk of the illegal use of the military forces. Then there was the less important subject of the apprehension of deserters. In the Army Act of 1881 there were provisions with regard to the duties of Magistrates for the apprehension of deserters. He thought it would be well to have an Imperial officer in Ireland to enable deserters to be arrested, for otherwise there might arise a condition of things under which the Irish Government would seriously interfere with the discipline of the troops quartered in Ireland. If there was not an Imperial officer in Ireland for this purpose, it might become more and more difficult to maintain the Army in Ireland, and everyone who had been in the Army must desire that the troops should continue to be quartered in that country, first, because Ireland was the best recruiting ground for officers and men—and it would be a serious national calamity if Ireland were not open for recruiting purposes—and, secondly, because it was essential that the Army

*Major Darwin*

should be kept in Ireland, not for the purpose of suppressing Ireland, but because of the cost—

MR. J. MORLEY : I rise to Order. I wish to ask, Mr. Speaker, if the hon. Member is in Order in dealing with the question of the Army in Ireland in connection with this Amendment?

\*MR. SPEAKER : The hon. Member will not be able to move his own clause; but I think he might state on this clause what he desired to have done—that is, the appointment of military officers for the purpose of dealing in Ireland with billeting, the ballotting for the Militia, the impressment of carriages, and so on. The policy of maintaining the Army in Ireland is quite another matter, and the hon. Member would not be in Order in dealing with it.

\*MAJOR DARWIN said, he only desired to call attention to the importance of having an Imperial organisation in Ireland, and to show the difficulties in using the troops in the last resort to maintain the Imperial supremacy without some such organisation. There was an Act of Parliament, passed in the last year of George III., relating to illegal drilling in Ireland. Under that Act Magistrates had power to order any body of men so drilling to disperse. If the Irish Executive should fail to do its duty under that Act, no military officer would have any power to suppress illegal drilling. The Army could not do it. To send out the troops would be an act of civil war, unless they were accompanied by a Magistrate having the proper authority to suppress illegal drilling; and, in his opinion, there must be some Imperial officer to carry out this duty in order, in the last resort, to enforce the Imperial authority. They had been told that in this matter they must trust the Irish Executive. But trusting the Irish Executive simply meant that they did not want to retain the power of suppressing illegal drilling in the hands of the Imperial Government. The reasons he had given were, he thought, sufficient to prove the necessity for having an Imperial Executive in Ireland. They must have this Imperial Executive throughout the length and breadth of Ireland if the Imperial supremacy was to be something more than name. Under the Bill in its present shape the Imperial supremacy was merely

a name, and they could only have a real living power in Ireland by creating this Imperial Executive through Ireland.

COLONEL NOLAN (Galway, N.) said, the speech of the hon. and gallant Member who had just sat down was more applicable to his own Amendment than to the Amendment of the hon. Member for Dublin University, which was before the House. But there were in the speech a few points which he should like to answer, for though they only bore indirectly on the Amendment, they were of considerable importance. The hon. and gallant Member seemed to contemplate that the clause would include the appointment of the Lieutenants of counties as Imperial officers. That would be a most unfortunate selection, for the Lieutenants of counties, as they existed in Ireland, were respectable noblemen, who did not interfere in Party questions, but who appointed Magistrates strictly according to their own political feelings, and nominated the Lieutenants of Militia by favour, though, of course, in both those matters they were controlled by county public opinion. As to the Deputy Lieutenants, that position conferred the privilege of wearing a handsome uniform, and was not of much importance. The adoption of the clause would be most unfortunate, for it would set up a separate Government in Ireland, and, whatever chance the Lieutenants of counties would have of happily getting on with the Irish Government would be destroyed, because they would be placed in an antagonistic position to the Government. The hon. and gallant Member saw great difficulties in the billeting of troops in the case of a march through Ireland. The rights of citizens were in this matter of billeting most safely and sedulously guarded—he thought too much so. To limit billeting to public-houses and exempting all other classes of the civil population was perhaps carrying the rights of citizens a little too far, but it would be a much worse state of things if they were to place the billeting of the troops in the hands of the Military Authorities. If the Amendment of the hon. and gallant Member were adopted, it would place billeting under the control of persons appointed by the Secretary for War. He did not think anything could be more dangerous to the liberties, not only of the Irish, but of the

English people. The power could be used for crushing the people, as it was often used in English history by the Sovereigns. He did not think the Sovereign would do it now, but it might be done by some strong political Party in the name of the Sovereign. The Army had got on very well by having no special rights or immunities—by being in the same position as civilians, and if they departed from that system they would endanger the liberty of the subject. The hon. and gallant Member feared that the Magistrates and Police in Ireland would not take measures for billeting the troops. Under these circumstances the troops could camp where they liked, and let the people take action against them if they liked. The troops might take lodgings at high rents, and the Civil Authorities would have to pay the cost. Turning to the clause moved by the hon. and learned Member for Dublin University, he admitted that in the United States there were Federal Marshals, and that those Marshals had to act sometimes in the name of the United States Government. He could understand that in times of difficulty—such as civil war, or conflicts with Foreign Powers—the Imperial Government would be justified in appointing some of those Marshals, or some officials of that character. But what the Amendment contemplated was the appointment of a network of these officers throughout Ireland. That would practically mean that there would be two Governments in Ireland. They would have these Marshals checking the Home Rule Government at every step, and the Home Rule Government getting into rows with the Marshals. He believed that as the Bill stood it would be possible to appoint an officer of the kind at the large ports to prevent any abuse of power by the Irish Authorities, which might lead to a war with a Foreign Power; but to spread a network of such officers all through Ireland, as the clause practically proposed, would be fatal to Home Rule. The fact was that, whenever an Irish Bill passed, everyone was desirous of making something out of it. Some people might call them jobs, but he did not call them jobs, because he thought an anxiety on the part of an hon. Member to provide for as many as possible of his constituents was very laudable. The persons who would probably be appointed to these



300 or 400 positions under the new clause would be persons who had passed through Trinity College ; and, no doubt, the Representatives of Trinity College said to themselves,—“ Well, if we are to have Home Rule, we will, at least, try to secure 300 or 400 appointments under it for our friends. If, however, the Government were weak enough to accept the clause, he hoped that it would be made clear that the Imperial Government, and not the Irish Government, would have to pay for those pleasant quarters for the friends of the hon. Member for Dublin University.

Mr. ROSS (Londonderry) said, he desired to say a few words in reply to the Solicitor General. He could not complain of the early part of the learned Gentleman's speech being over-technical. On the contrary, when they had reason to expect the Solicitor General to be technical, he was most profuse and eloquent, and when they expected him to deal with the matter in a general way he revelled in a very plethora of technicalities. The learned Solicitor General criticised the clause in the most effective manner ; he began by objecting to the clause because there was no provision in it for payment of these Imperial officers who were proposed to be appointed, and the hon. and learned Gentleman went on to say the word “ immediately ” was wrong, because how could Her Majesty appoint such persons as she deemed necessary immediately after the passing of the Act, and before the Irish Government could enforce certain Common Law rights ? But surely that was an objection of a trivial and trifling character. It would be easy for anyone to form some calculation of the number and character of the officers necessary to appoint for the purpose of looking to Imperial concerns. The learned Solicitor General then proceeded to criticise the language of the clause, and he objected to the expression “ Order of the Privy Council.” He hoped when Members drafted clauses in future they would be careful to dot their i's and cross their t's, or the learned Solicitor General would be down upon them. But he had no doubt if the hon. and learned Gentleman turned his learned acumen to Acts of Parliament that such was his power he would be able to make equally effective criticism of any clause in any Act of

*Colonel Nolan*

Parliament. However, he did not think that was the way to deal with such a serious proposition as was now before the House. The clause of his hon. Friend had for its object the appointment of officers whose duty it would be to carry out Imperial decrees. He would like to know whether the learned Solicitor General agreed, or did not, with the language of the Home Secretary which was cited by his hon. and learned Friend at the beginning of his argument ; did the learned Solicitor General agree that such an Executive Authority as might be necessary should be maintained in Ireland ? If so, where was it ? They had admitted that Imperial supremacy must be maintained, and the Parliament in Ireland must be subordinate ; but where, from the beginning to the end of the Bill, was there to be found machinery for enforcing their supremacy ? The learned Solicitor General took occasion to object to two Executives in Ireland. There were two Executives in the United States of America, and why should there not be two Executives in Ireland, one representing the local power and the other the Imperial power ? The Chancellor of the Duchy (Mr. Bryce), in his book on the American Commonwealth, spoke of the machinery there as being like that in a factory where there were two sets of machinery, each doing its own work without touching or impairing the other. Was not that perfectly applicable to a case such as they had in Ireland, where they had Local Authority and a supreme Imperial Authority with separate interests requiring separate machinery ? On the subject of a Federal Executive the Chancellor of the Duchy in his work said the men of 1787, feeling the cardinal importance of anticipating and avoiding occasions of collision, sought to accomplish their object by the concurrent application of the two devices. With one of them he (Mr. Ross) need not trouble the House, but the other was that it gave the Government, so far as those appointments extended, a distinct and immediate relation to its States. When the Chancellor of the Duchy was framing a Constitution for Ireland, why did he not apply his own device which he approved of in regard to America, and which he considered a remedy against the danger of interference ? His hon. and learned Friend

in front of him (Mr. Carson) gave a number of instances where important questions would be likely to arise, and it was idle for those who were framing a Constitution to say these difficulties were not likely to arise. Those who framed the Constitution of the United States, like wise men, saw that such difficulties would arise, and provided for them in the ablest manner. Her Majesty's Government had provided no machinery for them whatever, and he was sometimes almost brought to the belief that the Bill was not seriously meant at all, for he could not imagine a Government declaring for Imperial supremacy and having not the smallest atom of machinery for making that Imperial supremacy felt. Take some of the cases put by his hon. and learned Friend. There was the Land Improvement Act, in which the Imperial Government was directly interested, and in that case who was to set the law in motion when the difficulties arose? Was it to be by the Attorney General for Ireland, who was to be an officer of both the Irish and the Imperial Government? That, he thought, was an arrangement that would never work, because the Attorney General for Ireland would be serving two masters who, very often, would have different interests. The same thing arose in the case of the Customs, the coinage, and treason, and it arose in every one of the cases in which they had an Imperial exception or a reservation. But they had not only to look to the present, they had also to look to the distant future. It might be that the gentlemen who now represented the Irish constituencies might be so affected by a sense of gratitude for Home Rule that they might carry out all the requirements of the Imperial Government in the most strict and religious manner; but they had to look to the future. There might be an angelic band in Ireland at present, but there was to be a scraphic succession for all future time, and that, surely, was going too far. The men of 1787 who drew up the American Constitution—though he was sure that at that time they would have had great faith in the main qualities which their own citizens manifested in the previous years, yet they did not trust to those in any such way; they took the precautions that business men would naturally take, and they provided a special set

of Federal officers, the end - all and be - all of whose existence was to animate Federal concerns. In the case of Ireland there was no such machinery; that such machinery was certain to be required was as clear as anything could be, and he could not see why the Government refused a clause of this kind, the intention of which was to provide the Imperial Government with the Imperial machinery for the purpose of carrying out its behests, and for the purpose of initiating proceedings—a matter which was very important. Who were to initiate these proceedings? Were the Exchequer Judges to do so? Was the Attorney General for Ireland to be entrusted with them, though it was not his business, and when they should be altogether placed within the sphere of some official who would represent the Imperial Parliament? He submitted that no answer had been given to the argument of his hon. and learned Friend, and that if the Government were desirous of carrying a working scheme this clause, or something like it, must be accepted.

\*MR. T. H. BOLTON considered the proposed clause was the logical completion of the policy of the Bill; the Bill proposed there should be two authorities in Ireland—that there should be a Local Government to look after local affairs, and an Imperial Government having control, throughout Ireland, over all matters that were of an Imperial character. The learned Solicitor General spoke with regard to this Amendment as though the whole object was only to carry out the decrees of the Exchequer Judges—as though there was nothing else under this Bill to be done but to carry out the decrees of the Exchequer Courts. There must be a large amount of practical business connected with the Imperial Authority in Ireland that it was necessary some representative of the Imperial power should be appointed to attend to. Take, for instance, Sub-section 7 of Clause 10 with reference to taxation, which ran—

“Where Parliament imposed any taxes expressly for the purpose of war or of any special expenditure which Parliament declares to be war expenditure, or to be extraordinary expenditure for the defence of the realm, the revenue from those taxes which is collected in Ireland shall be paid into the Exchequer of the United Kingdom.”



Who was to collect that special levy made under the authority of the Imperial Parliament after the probationary period of six years? What officials would they have in Ireland under the Bill to carry out the Act made in the Imperial Parliament levying special taxation for war? Suppose the Irish Government differed from this Parliament as to the necessities of the war, as to the propriety of the war and the purposes to which the taxes were to be applied, what power was there in the Bill to assess and levy these taxes, unless they had some Imperial officers throughout Ireland? This was one of the portions of the Bill that seemed to have escaped the astute intelligence of the hon. and learned Solicitor General. The policy of the Bill was that there should be two Governments in Ireland—the Local Government responsible to the Irish Legislature controlling Irish affairs, and the Imperial Government, responsible to Parliament, in which Ireland was also directly represented. The United States people sent not only Representatives to their local Legislatures, but they sent them direct to the Federal Government and Assembly at Washington, and they had Federal Courts and officers throughout the Union. The right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce) in his book dwelt on the enormous advantage of having Federal officers distributed throughout the United States, and said that it brought the Federal Government into direct contact with the people all over the country. That was what they suggested in connection with this Amendment—that there should be Imperial officers directly in contact with the people throughout Ireland whose duty it should be not only to enforce the decrees of the Exchequer Judges, but also to attend to all those many varied Imperial concerns which would remain associated with the Parliament at Westminster. Why there should be any objection to give full effect to the policy of the Bill he could not, for the life of him, understand. The Amendment was not antagonistic to the policy of the Bill, but well within the lines of the Bill; and, therefore, he thought there was no just reason for refusing to accept it.

SIR J. GORST (Cambridge University) hoped the Solicitor General would forgive him for saying that in the

speech he addressed to the House before dinner he presented the spectacle of the good man struggling with adversity.

SIR J. RIGBY: Hear, hear!

SIR J. GORST said, the hon. and learned Gentleman recognised the position in which he stood. The hon. Gentleman spoke of a country with which he appeared to be totally unacquainted, and it was quite a relief to those who were in sympathy with him, when occasionally he seemed to touch ground on which he could stand fairly, and in a position in which he could advance a general and sensible argument. The Solicitor General had one point that he stuck to in a manner that neither the supporters nor the opponents of the Bill had done as yet. He had seldom heard any Member who had spoken on this Bill adhere so closely and generally as the Solicitor General had done to the fact that if this Bill was passed there was still to be a United Kingdom, and Ireland was not to be a separate country federated with Great Britain, but that Great Britain and Ireland were still to remain one United Kingdom, which was to have one Government exercising jurisdiction and supremacy equally over both countries. It was quite certain this Government of the United Kingdom was intended to fill a *quasi* function of autonomous government for Great Britain, but that did not alter its character with regard to Ireland; it was to be a Government of the United Kingdom exercising the same functions in that regard in Great Britain, but it would be in this unfortunate position in Ireland. Whereas in Great Britain this Government of the United Kingdom would possess a staff of officers perfectly effective to carry out its functions, in Ireland it would be shorn of the greater part of its officers, and be in a position of no authority, with no officials and no agents by whom its functions could be surely and adequately carried out. That was the theory of the Bill, and it was to meet that theory that the Amendment of his hon. and learned Friend the Member for the University of Dublin (Mr. Carson) was proposed. His hon. and learned Friend sought by this clause to give this Government in the United Kingdom the same power to appoint its officers and agents in Great Britain. It need not use that power unless it became necessary. If the

*Mr. T. H. Bolton*

officers of the Irish domestic Government should turn out to be such admirable agents for the Government of the United Kingdom as the hon. and learned Solicitor General appeared to think, the Imperial Government would not need to make any such appointments. Also, what the Amendment was intended to do was to give the Government of the United Kingdom identically the same power it possessed on the part of the United Kingdom for Great Britain, and do what every civilised Government in the world did, appoint such officers as the circumstances of the case required. The hon. and learned Gentleman the Solicitor General said this arrangement would introduce an element of great confusion, that there would be double government, a double set of officials. That was what they, on that side of the House, had always contended was the principle of the Bill; though it might be a very good principle on which to make speeches on the hustings and to dilate upon in vague general terms to the less instructed electorate of the country, it would do very well for that purpose; but when they examined it as a working Constitution, as an arrangement under which people were to be governed and their common affairs were to be administered, they had always said—and this was their case—it was not a working scheme; it was not a scheme that could be worked to the advantage of Great Britain and Ireland. When the Solicitor General said that if the Government should insist on retaining double government it would introduce confusion in that part of the United Kingdom called Ireland, he was inclined to say Amen to the Solicitor General. The Solicitor General went on to say that the Government of the United Kingdom could be perfectly well served by the officials who were responsible to the domestic Government of Ireland. He could plainly see that that was an argument which the Solicitor General addressed himself to with considerable reluctance. It was a well-known truth that no man could serve two masters, but the whole of the Solicitor General's argument was directed to showing that not only could a man serve two masters, but he could do it well. He (Sir J. Gorst) did not believe this. He had a profound admiration for the Irish officials; he believed them to

be as good officials as any in the world, but they would not be able to perform the task of serving well and faithfully the Irish domestic Government, and, at the same time, of serving the Government of the United Kingdom, who would have need of their services. A great many illustrations in detail in this matter were given by the hon. Member for the University of Dublin, not one of which had been answered. The Solicitor General admitted that he knew nothing about advances in Ireland, and he said he would leave that part of the argument to somebody else. That "somebody else" had not yet risen to answer the point. There were advances made in Ireland by the Treasury through the Board of Works, which were not made through the Irish Government at all, but direct from the Treasury to the people of Ireland; and if these advances had to be recovered, the process of law would have to be set in motion by the Attorney General for Ireland, an official of the Irish domestic Government. How could the Imperial Government secure that the Attorney General for Ireland would consent to allow himself to be made the instrument of the Saxon, to wring from these unfortunate people the money which was lent to them by the Saxon Treasury, and which they were shamefully called upon to pay? He hoped before the Debate closed that that *hiatus* in the Government case would be made up, and that someone from the Treasury Bench would, at any rate, attempt an answer to the unanswerable position taken up by the hon. Member for Dublin University. The point of the case which the Government so far had failed to meet was this: If they were going to set up this theory of a United Kingdom, and if the Imperial Government had to discharge certain duties and functions in Ireland, it must have officers to do it, and this Bill did not make any provision for the Government of the United Kingdom appointing any officers which experience might prove to be necessary in case the officers of the domestic Irish Government found themselves unable to serve two masters. The Solicitor General, in a part of his speech which he really thought unworthy the position the hon. and learned Gentleman occupied, was pleased to fall back upon the language of the clause and say it required amendment. Everyone knew that on

the introduction of a new clause on Report the principle alone was in question in the first place. Amendments in detail could be made after the principle had been agreed to. Really, the only question before the House seemed to be the simple question whether the Imperial Government should have the power, which every civilised Government in the world possessed, to appoint its own officers to carry out its own functions.

\*MR. BUTCHER (York) said, that whatever charges the supporters of this clause might be liable to, they were certainly not liable to the oft-repeated and stale charge of distrust of the future Irish Government. This was no new restriction, but simply the machinery to give effect to the restrictions the Government had already provided in the Bill, and the question which arose was—Were the Government honest in imposing these restrictions? Did they intend that these restrictions should be effectual, or did they intend they should be illusory? That was the real question involved in this clause. It was the Government that had created this dual Lord Lieutenant, with one side looking to the Imperial Government and the other side looking to the Irish Executive. It was the Government who were responsible for having inserted Clauses 3 and 4 in the Bill, exempting a number of important subjects from the purview of the Irish Parliament. It was the Government who had created a special Court for the purpose of dealing with Imperial questions, and more particularly with the whole of the questions reserved by Clauses 3 and 4 from the competence of the Irish Parliament. Having exempted these subjects from the Irish Parliament and reserved them to the Imperial Parliament, was it not the duty of the Government to give effect to these restrictions they themselves had considered necessary—whether springing or not from distrust of the Irish Parliament he would not inquire—and to see that these restrictions should carry out what he presumed to be their intention—namely, of giving protection to the loyal minority in Ireland? They had had one speech only from the Government that night—to which they all listened with great attention—namely, that of the Solicitor General. One portion of his speech he devoted to the form and the other portion

to the substance of the Amendment. They were not concerned much with the form of the Amendment. What they were concerned with was the substance of it. It appeared to him that the speech of the Solicitor General was characterised by a sublime optimism, which could only spring from an exhaustive ignorance of the conditions of Irish life and character. The hon. and learned Gentleman assumed that the officers of the Irish Executive would accept immediately, and without hesitation, the double functions imposed upon them, and would carry out with equal joy the decrees of the Irish and of the Imperial Authorities. He confessed he did not share the sublime optimism of the hon. and learned Gentleman. He then went on and abandoned the only theory which could have justified him in his optimism. He abandoned the angelic theory, and having abandoned the angelic theory he had to fall back upon what he called the ordinary principles of human nature. He should recommend the Solicitor General to study some of the ordinary principles of Irish human nature, as exemplified in the processes of the Land League and National League in not very remote times. Had he done so, the ordinary principles of human nature would not have confirmed him in his argument. Let him give the hon. and learned Gentleman one example. Suppose the Irish Legislature were to travel beyond their province, and, in violation of Clause 4, were to take private property without just compensation. Suppose they decided that a landlord could be bought out for five years' purchase, a theory that had found acceptance on the Irish Nationalist Benches, and on those terms transferred his estate to somebody else, probably a Member of the Irish Government; and then, suppose the Exchequer Judges decided that this was a violation of Clause 4, would the Irish Sheriff carry out their decree and evict the usurping hypothetical Member of the Irish Government? The Solicitor General admitted that cases might arise in which officers acting under the orders of the Irish Executive would not be able or willing to carry out such decrees. The Solicitor General admitted that the Irish Executive would not go to much trouble to carry out the decrees of a Court in Imperial matters. But what was the answer of the Solicitor General? He told them

that in such cases an arrangement might be made. It did not seem to him to be very probable that an arrangement would be made for carrying out an unpopular decree of an Imperial Court, against the wishes of what might be popular feeling in the country stimulated by national eloquence. He could not share these views of the Solicitor General, who admitted the possibility of a case arising, and yet would not face it in the only way it could be faced, by allowing the Imperial Government to appoint Executive officers to carry out those decrees. The hon. and learned Gentleman wanted to know how many Imperial officers it would be necessary to appoint? It would be very easy to introduce into the Bill a clause providing that Her Majesty should, when occasion arose, appoint such officers as might be necessary for carrying out the matters referred to in the clause. As to the objection that no provision was made in the clause for the payment of these officers, if the House decided to appoint these Executive officers, were they to suppose the House would not also provide means out of the Imperial Funds for their payment? So far as that objection went, it could be met by a very simple Amendment which there would not be very great difficulty in drafting. What the clause proposed to do was to provide a substitute for the *posse comitatus*, which was not likely to assist the Sheriff in the performance of his duties. It provided a substitute for the Sheriff, who might be unwilling or unable to carry out a decree, in a case where the *posse comitatus*, acting under the influence of Members of the Irish Government, would not be likely to assist the Sheriff. The Government having come to the conclusion that the Irish Parliament were not to be trusted with certain subjects, that the Judges appointed by the Irish Parliament were not to be trusted with the decision of certain questions which must be left to Judges appointed by the Imperial Parliament, the question before the House was, were they, or were they not, going to make the decrees of these Judges effective? He had heard nothing which would justify the House in leaving the matter open, and refusing to make provision for carrying out these decrees. He ventured to think the House would

be wise to deal with the matter at once, and take steps to see that these decrees were carried out in the only possible way they could be made effectual.

\*MR. GIBSON BOWLES (Lynn Regis) did not propose to follow the Solicitor General in his verbal criticism on this clause, all the less so as ever since the Solicitor General assured them that a ship was a house and a merchant ship was navigation, he had not attached that importance to the verbal criticisms of the learned Gentleman as he had hitherto done. But as the poet had said—

“Solicitors General rushed in  
Where statesmen feared to tread.”

And the Solicitor General rushed in to assure them that the hypothesis and the purpose of this Bill was to do away with all want of confidence in the Irish nation and Irish Legislature and Executive. But the Bill absolutely bristled with the contrary hypothesis. It was full of hypotheses that the Irish Exchequer would not pay its debts, and that the Irish Judges would not do their duty. It bristled with distrust of the Irish Legislature and Executive. In Clause 17 the hypothesis was adopted that the Sheriffs and other officers of the Irish Executive would refuse to do their duty. As to the objection of the Solicitor General that no provision was made by the clause for the payment of the officers the Amendment asked should be appointed, he called attention to the fact that in the Bill itself the two Exchequer Judges, in the event of Irish officers not performing their duty, were empowered to appoint some casual person for the payment of whom no provision was made, so that if the objection was good as against the proposed clause it was equally good as applied to Sub-section 17 of the Bill. They had listened to the Solicitor General, he trusted, with becoming patience. They did not think much of his argument which they understood; but they thought a great deal of his law which they did not understand, and, having shown the patience that House always extended to the learned Gentleman, it seemed to him that the time had arrived when, as upon the last occasion the learned Gentleman addressed the House, his Chief should now get up,



throw him over, and accept the Amendment.

MR. BARTLEY expressed the opinion that the Debate ought not to close until they had had some answer from the Chancellor of the Duchy, from whose book it had been distinctly proved that he was himself in favour of the proposal before the House. Considering the right hon. Gentleman had a deal to do with framing the Bill—especially those provisions taken from the American Constitution—the House ought to have some words from him. If the right hon. Gentleman had changed his opinion since the publication of his work, he ought to explain why he had done so, and why he was voting against a clause which was in absolute accord with what the right hon. Gentleman had defended in his book. If he did not explain, he would not be treating the House with proper respect.

Question put.

The House divided :—Ayes 104; Noes 155.—(Division List, No. 263.)

MR. CARSON rose to move the following new clause :—

(Appointment of Land Commissioners.)

"The Judicial Commissioner and the other Commissioners under 'The Land Law (Ireland) Act, 1881,' and 'The Purchase of Land (Ireland) Act, 1885,' (and Acts amending the same), shall, as vacancies occur, continue to be appointed by Her Majesty by Warrant under the Royal Sign Manual, and the Assistant Commissioners under the said Acts shall be appointed by the Lord Lieutenant acting on behalf of Her Majesty."

He said, although this related merely to the appointment of the Land Commissioners, it would be apparent, he thought, that the question was one affecting the whole relations of landlord and tenant in Ireland. The Government had thought fit, in the framing of the Bill, to reserve from the Irish Legislature any power for a certain time—

MR. SEXTON (Kerry, N.) rose to a point of Order. The hon. and learned Gentleman proposed to move this as a new clause. Clause 24 of the Bill dealt with the tenure of office of the Land Commissioners in Ireland; and his point of Order was that this clause should, therefore, be moved on the 24th clause of the Bill when they reached it.

MR. CARSON said, on the point of Order—[Cries of "Order!"]

MR. SPEAKER: Order!

*Mr. Gibson Bowles*

MR. CARSON said, on the point of Order, he wished to point out that Clause 24 did not deal with the tenure of office of the Land Commissioners, but merely with the existing Judges and other persons whose salaries were charged on the Consolidated Fund, and with the manner in which those salaries were to be paid in the future. It had nothing to do with the appointment of these Commissioners and Assistant Commissioners, with which alone his clause dealt. That was his sole reason for bringing forward the clause.

\*MR. SPEAKER: I am of opinion this new clause brought forward by the hon. and learned Gentleman can be properly moved as a separate clause, and not simply as an Amendment to Clause 24.

MR. CARSON said, the case he had to put to the House was this—that if there was good reason for reserving from the Irish Legislature the power of legislating with respect to the land there was much more reason for reserving from the Irish Executive dependent upon that Legislature any power in relation to the appointment of the Commissioners upon whom the whole of the rights of the landlord practically depended. When this Parliament set up a Court in Ireland to deal with rents it created a novel procedure, which depended for its efficacy entirely upon the men who were appointed to administer the Land Act, 1881. If by this Bill the appointment of these Commissioners and Assistant Commissioners was entrusted to the Irish Parliament the obligation of honour which the Prime Minister had said arose from the dealings of the Imperial Parliament with the Irish landlords would be entirely cast to the winds. The question here arose—Was it not possible that the new Irish Executive might appoint men who would not fairly carry out the Land Acts, but who would rather out the principles of the Land League that had been taught for 13 years by men, some of whom would be their masters, and would form the future Government of Ireland? The landlords of Ireland stood in a peculiar relation to them in regard to this matter. The Prime Minister had over and over again stated in that House that the Irish landlords were the English garrison in Ireland, and that by planting



them in that country the Imperial Parliament had incurred these obligations of honour. What would be the policy of the men who were likely to be the future Governors of Ireland in relation to that garrison? Speeches had been made by hon. Members below the Gangway (the Irish Members) since 1886, when the union of hearts took place, down to the present time, in which they told the people in Ireland that when they came into power it would be their privilege and their duty to take care that this garrison should be got rid of for the benefit of the Irish tenantry. The hon. Member for Mayo (Mr. Dillon) made a speech in 1887 in which he stated that it was his belief that when the struggle for the land was carried to a successful termination, at the same hour with the disappearance of the landlords the power of the foreign Government would also disappear. Mr. Davitt, a recent Member of that House, also in 1887, stated that when the day should come that they had the right to manage their own affairs the sun might some day shine down upon England when the Irish would have the opportunity of having vengeance upon their enemy for its crimes to Ireland. Those speeches were not made in the heat of passion, before the Liberal and Radical Party were committed to Home Rule. They were actually made in anticipation of this Home Rule Bill, and they were open and bold warnings to the Members of that House that these gentlemen were determined, if they came into power, to take vengeance upon what the Prime Minister had called the English garrison flanked by this country in Ireland. To pass away from hon. Members below the Gangway, he came to the Chief Secretary for Ireland (Mr. J. Morley). Some time after the Government had adopted Home Rule the Chief Secretary said that—

“They would not be able to deal satisfactorily with Ireland until some Government brought in legislation for preventing the tenants from confiscating the property of the Irish landlords.”

What did he propose to do now? So far from bringing in legislation to prevent that legalised kind of robbery, the right hon. Gentleman proposed in an indirect way to hand over to an Irish Executive,

composed of men who for the last 13 years had been engaged in driving out the landlords, the appointment of the persons who were to decide all questions between landlord and tenant. Did the right hon. Gentleman think that he was dealing satisfactorily with Ireland by giving power to these men who preached, even down to the present day, to the tenants that they had a right to get the land from the landlords—the power to confiscate the landlords’ property? Did he consider how the Irish Members were to be elected? They must take it that the majority of the Irish Representatives in the new Legislature would fairly represent the opinions of the constituencies sending them there. Almost every one of these Representatives would be elected by the tenant farmers; and the Courts in which the Commissioners sat dealt with the interests of landlord and tenant, and it was the tenant farmers who would dictate their policy, and it was to them they would be answerable for their conduct. From the necessity of the case the Executive so elected must appoint men who could not be expected to see that the legislation which had been passed by the Imperial Parliament was fairly carried out between landlord and tenant. He thought there was a conclusive case here. He passed from that to the second branch of his argument, which was this: Parliament had entrusted to those Land Commissioners the administration of £40,000,000 of British money under the Acts of 1885 and 1887, and having done that—

MR. J. MORLEY: And 1891.

MR. CARSON said, quite so; he included all the Acts relating to the matter. Was Parliament going to part with the entire control over the appointment of the men who were to administer those £40,000,000, and who were bound to enforce the payment of this money to the Imperial Government? They had heard a great deal about reserving matters to the Imperial Parliament; this £40,000,000 was really the money of Great Britain, and were they to run the chance of losing it completely? He did think—although the question of these appointments might seem to be a small affair in regard to a Bill of this kind—he did think that they should act fairly as between man and man upon the rela-

tions between landlord and tenant in Ireland, and that the course which he suggested would be found the best to prevent the friction which would arise if this Bill passed into law in its present form. If only on the mere selfish motive he would say that they ought to reserve some control. He begged to move the clause.

Clause (Appointment of Land Commissioners,)—(*Mr. Carson*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

**MR. J. MORLEY:** The hon. and learned Member who has just sat down has referred to the language which was used in the past by some hon. Members below the Gangway with regard to the Irish Land Question. But that was at a time when the movement was being commenced of which I hope we are now approaching the end. My own view of that language is that it was the product of exasperation provoked by the circumstances of the time, and that that exasperation was to some extent, at all events, not unjustifiable is shown by the fact that the Land Act of 1881 was the outcome of the agitation that had preceded it, and I am not afraid to say that the language that was used in the course of that agitation represented, although perhaps in an exaggerated form, a true grievance and a real wrong done to the tenants of Ireland. Unless you are prepared to say that the whole operation of the rent-fixing Act of 1881 was unjust and the decisions of the Land Commissioners with regard to the reduction of rents, you cannot deny that there is, at all events, some justification for the strong and violent language of the past. That is one remark I would make on that language. Another observation which I desire to make is, that during all these years, from 1879 onwards, so far as my observation has gone, the Irish tenants follow leaders who use violent language, but not up to the point where it endangers their permanent possession of their holdings. Although they have been willing to take up a strong position against their grievances—grievances which, I submit, were proved to be just by the reductions of rent effected by the Land Commis-

*Mr. Carson*

sioners—yet when the time came they did not follow the extreme measures recommended by their leaders. The "No Rent" Manifesto of 1881 was a failure, not because of the coercive powers which had been entrusted to the Executive Government, but because the Irish tenant, although he will go far to secure a reduction of his rent, will not run the risk except under violent provocation and circumstances of momentary agitation—and then only within narrow limits—of being turned out of his holding. I had many conversations with the late Mr. Parnell on this subject. He was mainly responsible for the issue of the "No Rent" Manifesto, and he has told me more than once that the effect or non-effect of that Manifesto, apart from all else that can be said of it, convinced him that everyone, however strong his political position, who resorted to a policy in which the effect would be to endanger on a large scale the right of occupancy which the peasants have, must be sure that it would not be supported by the Irish tenants. Perhaps I have gone a little further afield than I should have done, but I only wished to make these remarks on the observations of the hon. and learned Gentleman, as to language that has been used in past times under circumstances of great excitement. The hon. and learned Member, coming to the point of his new clause, has referred to some language which I myself used, I think, in 1885, when I said that I would be no party to allowing an Irish Nationalist Government to carry out a policy of confiscation. What inconsistency is there between that language and the policy of the present Bill? By the present Bill the Irish Government is prevented from legislating in such a way as to confiscate the property of the landlords. If Clause 4 is going to be waste paper, I admit that my language was inconsistent with the Bill, but we do not believe that the clause is going to be waste paper. The hon. and learned Gentleman has said that it is the policy of the hon. Members below the Gangway and of ourselves by complicity to get rid of the Irish landlords. But what is the policy of hon. Gentlemen opposite? Is not the object of the Land Purchase Act to get rid of the Irish landlords—although I admit upon equitable terms, and with

just compensation and by due process of law?

**MR. CARSON :** The terms are fixed by an impartial tribunal.

**MR. J. MORLEY :** The hon. and learned Gentleman, in the few observations he devoted to this, overlooked the cardinal fact that if random transactions are sanctioned by partial men, and advances are made on bad security in case of default by the tenant, the loss is to be borne by the Irish Exchequer. The new Irish Government, it is suggested, will have to appoint Commissioners who may make ducks and drakes of advances, or make advances upon inadequate security; but if they do the Irish Government will have to bear the cost. To return to the immediate point of the Amendment, I do not understand whether the new clause is to be limited in its operation to three years during which the Land Question is reserved.

**MR. SEXTON :** It is for all time.

**MR. J. MORLEY :** I did not quite gather whether he meant that or not. The hon. Member's policy it seems is, first and fundamentally, to take away from the Irish Legislature all power whatever, at any distance of time, of making laws affecting the relations between landlord and tenant. I agree that if you do that you will be consistent in reserving for the same period of time the appointment of officers to carry out laws which, under a system of Home Rule, must ultimately be made by the Irish Legislature. Of course, the Government must be guided by their own policy in this matter as to the limitation of the powers of the Irish Legislature to legislate with reference to the land. If the clause were limited to the three years during which legislation will be reserved, there might be something to be said for it; but to make it permanent would involve an absurdity which the hon. and learned Gentleman himself must admit. While you would be giving power to the Irish Legislature to make the laws you would be reserving to the Imperial Parliament the duty of appointing all the officers who were to administer those laws. I cannot think that that proposal is one which would at all square with the proposition and policy of the Bill. I cannot conceive how, with an Irish Legislature existing, though subordinate, the British

Government is to attempt the task of nominating these important officers; without exercising the duty of making the laws which these officers have to administer. I have endeavoured to state the case without using excessive language; and when the case is so stated and is understood by the House, I think the House will join us in rejecting the clause.

**MR. ARNOLD-FORSTER** (Belfast, W.) said, the right hon. Gentleman had avoided the real gist of the question, as it appealed to many of them, and he thought it should be made quite clear to the House and to the country what was the actual nature of these appointments they were discussing, and what the functions of these officers whose position they were debating really were. The duty which was put on these officers was a duty which did not fall to the lot of any other official in the whole length and breadth of the United Kingdom. It was the duty of fixing an arbitrary price for an article which otherwise would come into the market, where its value would be settled by competition. There was no precedent for this office. The Chief Secretary had said that the matter would come distinctly under the purview of the Irish Legislature, and was a matter in which the Imperial Government had no right and no duty to interfere. That seemed to him an absolutely untenable view of the question. If they abandoned the claim put forward in the Amendment and allowed the Irish Executive to have the appointment of these officers what was the result they must contemplate with absolute certainty? He desired to follow the example set by the Chief Secretary, and as far as possible avoid recrimination. But they could not conceal from themselves that the object of agitation in Ireland had been the reduction of rent by one means or another. Two methods of doing this had been adopted—the method adopted and sanctioned by hon. Gentlemen below the Gangway opposite, and the method adopted and sanctioned by the Imperial Parliament; and the two methods had been going on concurrently. One was a legal method—that adopted by the Government—and the other was an illegal method—that which had found favour with hon. Gentlemen opposite.

There was no reason to believe that the method favoured by hon. Gentlemen opposite was not one which they would enforce if they had the power. The contention of those hon. Gentlemen for the last 10 years had been that agricultural rents were too high and ought to be reduced, and that the legal method of reduction sanctioned by this Parliament was not adequate to meet the case. Reference had been made to the Act passed by the Prime Minister and his colleagues in 1881, the object of which was to effect reductions of rent in accordance with the ideas of equity and justice as they were then understood in the House. How was that Act received by hon. Members opposite? They at once set themselves up in opposition to the Courts, and there was no evidence that this attitude had been abandoned up to the present. The Chief Secretary had spoken about the "No Rent" Manifesto, and said truly that it was a failure, and he had given the reason which Mr. Parnell appeared to have confided to him—namely, because it was seen clearly that those who followed the advice of the Manifesto were liable to be evicted, the law of the United Kingdom being strong enough at that time to see that justice was done. The tenants knew that if they followed the advice of the Manifesto they would be turned out of their holdings and that there would be no redress for them. That was the reason of the failure, and that alone. The Manifesto was a failure for the reasons given by the Chief Secretary, and not because the advice given was dishonest and thievish in its character, or because a Roman Catholic Bishop had described it as opposed to every principle of religion and dictate of morality, and a breach of the law which said—"Thou shalt not steal." There was no proof that the doctrine adopted by hon. Gentlemen opposite in 1881 had altered up to the present time. On the contrary, there was proof that the old spirit still existed with the advisers of the Irish people. The duty of the Land Commissioners was to decide what was, and what was not, a fair rent, and this was the only protection which the landlords had against spoliation. The landlords had been told over and over again, in the House and out of it, that the only true and fair

value for Irish land was prairie value, and that they had no right to the holdings which the tenants possessed, nor to the rent which was paid for the holdings. The landlords had between themselves and the spoliation with which they had been threatened only the protection of the Land Courts, which had been guaranteed them by the Imperial Parliament. The hon. Member had said that this was an Imperial question, and he (Mr. Arnold-Forster) could hardly conceive a case where it was more obvious that an Imperial question was involved. The Chief Secretary said that there was some obvious and natural connection between the limit of time suggested in the Bill during which the Irish Parliament should not be allowed to legislate in respect of Irish land and the limit of time that ought to govern the appointment of the Land Commission. Surely that was a palpable fallacy. There were many questions connected with the tenure of land in Ireland which, on the hypothesis that this Bill would become law, might very well fall into the domain within a definite period. But the Commissioners were dealing with a sum of money something like £40,000,000 sterling, which was the product, to a very limited extent, of the Irish taxpayer, but which was a payment made by the British Exchequer for the peace and good government of Ireland, and to suppose that the people of Great Britain had no concern in the distribution of this money was an idle supposition. It was in the power of the Commissioners to distribute the money as they chose. The Chief Secretary said that surely if there was to be some obviously unjust and inequitable distribution of this money the scheme would be put an end to. But that was not the way the thing would be done, as anyone who was familiar with the Courts must be aware. Pressure had from time to time been put upon the Commissioners—pressure which they had not been able to resist—and that pressure would be uniformly applied to get them to reduce all rents submitted to them. There would be no opportunity of putting into effect Clause 4 of the Bill. They would simply be confronted from time to time with legal decisions which would have to be decided by Courts constituted in the same way as the Courts whose decisions

*Mr. Arnold-Forster*



were appealed against. The Chief Secretary had said there was a great deal of justification in the attitude assumed by the Nationalist Members with regard to Irish land. He had said that the fact that rents had been largely reduced as the result of the decisions of the Courts showed that there had been a crying grievance to be remedied. But that was a very dangerous contention. There had been grievances in England and Scotland time after time, to which the attention of Parliament had been directed, and year after year had passed without those grievances being redressed. They had been at last remedied when public attention was attracted to them, but it certainly seemed a dangerous lesson to teach that no grievance was a real grievance until it was supported by violence and crime. Many scores of grievances had existed in England and had remained without remedies longer than the Irish grievances without leading to crime and outrage, and he considered it an unfortunate circumstance that the Chief Secretary could find no better argument to enforce his sense of the genuineness of Irish grievances than the fact that they had been attended by a long series of criminal acts. [*Cries of "Divide!"*] If the Amendment were not adopted the object would be to place on this Commission persons who would use their official position to reduce rents; and if the Irish Legislature were to have power to appoint the Commissioners, the Chief Secretary would find that men would be nominated whom he would now refuse to appoint, and which refusal he would be prepared to defend in the House of Commons. The right hon. Gentleman's present attitude was altogether inadequate. There was no reason why they should abandon for the future the security which they had hitherto possessed. [*Cries of "Divide!"*] Officers appointed by the Imperial Parliament were the only people who would be in a position to make an impartial inquiry into these matters. Certainly, if any persons outside the House were to be asked whom they considered the most unfit to be entrusted with the appointment of these so-called judicial officers, they would point to hon. Members opposite who for years had been actively engaged in championing a particular

view upon this subject. The Opposition were asking that these partisans should not be made judges on these proceedings. He failed to see why this matter should be better judged by partisans and interested persons and persons who had prejudiced themselves over and over again as to the nature of the judgment they would pronounce.

COLONEL SAUNDERSON (Armagh, N.) said that, as the question before the House was so deeply interesting to the unhappy class to which he belonged, even gentlemen below the Gangway would admit that he had a right to say a word. The Chief Secretary appeared to imagine that the reduction of rent which followed the passing of the Land Act of 1881 was satisfactory proof that the Irish tenants were suffering from excessive rent—in fact, that the people were rack-rented; but the right hon. Gentleman should bear in mind that rents in England had been lowered very much more than Irish rents had been reduced by the Courts established by the present Prime Minister in Ireland. The reductions were, in fact, caused not so much by excessive rents as by agricultural depression, which had taken place in Ireland as in England and Wales. The average reduction of rent in Ireland was about 20 per cent., and in England it was more. It would be as fair to say that the fact that reductions in England had been 30 and even 35 per cent. was a proof that the English landlords had rack-rented their tenants, as it was to say that the fact that reductions of 20 per cent. had been made in Ireland was a proof that the Irish tenants were suffering from previous oppression from the Irish landlords. The Bill which was called a Bill for the Better Government of Ireland might be also denominated a Bill for granting to the Irish landlords three years' purchase of their property. Anyone who knew Ireland and the character of the Government that this Bill would call into existence, anyone who had studied the speeches made by gentlemen below the Gangway in the immediate past would see that the only prospect before property-owners in Ireland under the malign influence of a Home Rule Government was mere confiscation of their possessions. About a week ago



there was a meeting of the Irish Federation in Mayo, and the hon. Member for Mayo (Mr. Dillon) told the people to stick to the principles of the Land League, and they would then get rid of the landlords altogether. Of course, they would. In three years' time there would be a general revision of rents in Ireland. The Irish Government were to have the power to appoint Land Commissioners and Sub-Commissioners after their own hearts, who would give the landlords what the Nationalists always said they deserved—the prairie value of the land. So keenly was this felt at one time by the Prime Minister himself that he said it was an obligation of honour to take away from the future Government of Ireland the inevitable temptation of dealing with landlords on the principles they had always laid down in the past. The House now learnt from the right hon. Gentleman that the condition of honour was not binding, but was temporary. Most people thought that an honourable obligation was an obligation for all time. If it was an obligation of honour in 1886 to protect a law-abiding and unoffending class in Ireland against open spoliation it ought to be an obligation of honour still. It was well that the country should remember what the principles of the Land League were. The hon. Member for Cork (Mr. W. O'Brien), speaking after the "Union of Hearts," after the Home Rule Bill of 1886, said—

"Together, please God, we will march on, shoulder to shoulder, until we shall have liberated this land from two curses—landlordism and English rule."

A year later the hon. Member spoke to much the same effect. It was the bounden duty of the British people to see that open robbery and spoliation did not take place in Ireland. From the point of view of Nationalist morality, he believed it would not be spoliation. The fact of owning land in Ireland was looked upon by the Nationalist Members as indicating that legalised robbery existed. There was no crime in the eyes of an Irish Nationalist so great as that which they called landlord robbery, or, in other words, the crime of asking a tenant to pay the rent he owed. Whether rents in Ireland were really excessive and extortionate was shown, he thought, by

the enormous prices paid in Ireland at the present time for the goodwill of a farm. An Irish tenant in the open market could get for the goodwill of his farm infinitely more than a landlord could get for the fee simple of the land. Therefore, robbery and spoliation on the part of the landlord did not exist at the present moment in Ireland. If there was any honour left in Great Britain, if honour was not the transitory thing that it used not to be, the British people would see that they had no right to hand over a class of men who had always been loyal to them into the hands of their enemies. If the Home Rule Government was ever to acquire the respect of mankind, which he very much doubted it ever would, it was the duty of the British Parliament to take away from it a temptation which it not only could not but dare not resist. Patriotism in Ireland would be a very popular thing as long as it meant that one section of the population was to get possession of the property of another section of the population. Take away that incentive to patriotism, and the Nationalist Benches in the House of Commons would be vacant. All that was asked by this clause was that the British Parliament should reserve to itself the right of seeing that justice was done in Ireland between the two classes of the population, without which any Government that might be created in Ireland would be not only a sham, but a disgrace to mankind.

MR. J. CHAMBERLAIN (Birmingham, W.): I think that in the course of this discussion there have been raised several points of minor importance which may very well be disentangled from the main issue. I was a little disappointed with the speech of my right hon. Friend the Chief Secretary (Mr. J. Morley), because I thought he dwelt rather more on those collateral matters than on the one which is really of primary importance. The question is capable of being stated very simply. Certain Commissioners are to be appointed in Ireland to determine what is to be a fair rent. It is perfectly evident that the interests both of the landlords and of the tenants are absolutely in the hands of these Assistant Commissioners. They have been appointed hitherto by the Imperial Government; but it is proposed under this

*Colonel Saunderson*

Bill to transfer the appointment to the Irish Parliament. The Irish Parliament will represent the tenants alone. Under these circumstances, the landlords of Ireland believe, rightly or wrongly, that the Assistant Commissioners who are appointed by the representatives of the tenants will not be in a position to deal fairly in regard to the interests of the landlords. Further, it is contended on behalf of the landlords—and I do not think it can be denied by the Government—that practically it is, under the circumstances, an obligation of honour with the Government to secure fair play for the landlords. Among the collateral matters that are raised is a question in regard to proceedings under the Land Purchase Acts. I admit that I am myself unable to follow that argument or to feel that that is a matter which is of very deep concern to us. It is quite true that if the new Assistant Commissioners were at once to reduce rents throughout Ireland the persons who have purchased on the old basis—that is to say, at higher prices—would at once become extremely discontented, and there would be an agitation for the reduction of the instalments they now pay. Those instalments are payable to the British Government; and although we have the security of the Irish Legislature, it may be argued that to some extent our interests would be endangered if there were a general movement among the tenants for the reduction of their instalments. I agree, however, that that is rather a distant point, and I do not propose to dwell upon it. Then there is the argument that hon. Members opposite had threatened the landlords of Ireland, and deliberately declared their intention, when they have the power, to use it to their disadvantage. My right hon. Friend the Chief Secretary met that by saying that the very strong and improper language which has been used, as far as that employed before 1881 was concerned, was, if not justified, at any rate caused by a real grievance. Well, Sir, I am not prepared to deny that; I entirely agree with my right hon. Friend—that is to say, I agree that there was a real grievance before 1881; and although that does not justify the language used, it should, to some extent, be taken into account in considering it. But that does

not apply at all to the language used since 1881. In 1881 the Government of which I was a Member, under the guidance of my right hon. Friend the present Prime Minister, brought in a Bill—*[Interruption.]* Mr. Speaker, I feel it very difficult to proceed in consequence of the loud conversation that is going on on the Benches opposite.

MR. SPEAKER : Order, order !

MR. J. CHAMBERLAIN : The Government in 1881 brought in a Bill which was then declared on behalf of that Government to be a final settlement of the vexed question of what was a fair rent. Undoubtedly, if that be the case—and I think it will not be denied,—the excuse which is found for this violent language by the Chief Secretary cannot possibly apply to language which has been used since 1881. I do not want to refer to that language, because that is not, after all, the basis of the present contention, but there is no doubt that the language has followed precisely the same course since 1881 as it followed before that date. Up to the very last moment, even since the commencement of this present Session of Parliament, language has been used by prominent Irishmen in Ireland which distinctly pointed to a re-opening of the question of fair rent. We cannot, therefore, doubt that it is the opinion of hon. Gentlemen opposite that the Courts which were appointed to settle fair rents have not satisfied the aspirations of the Irish people and have not satisfied the ideas of justice of hon. Members opposite. *["Hear, hear !"]* Hon. Members from Ireland say "Hear, hear !" They also take that view. Their view is that no Court is a fair Court which does not give a decision of which they approve. They cannot dispute the fairness and impartiality of the Magistrates. *[An hon. MEMBER : I do.]* Oh, yes they do. Then they dispute the judgment of my right hon. Friend the Prime Minister, because the vast majority of the Judges were appointed by the Prime Minister. It is, therefore, the judgment of the Prime Minister and the fairness and impartiality of his appointment which his followers are now calling in question. Sir, I do not see how we can ever obtain finality in this matter if

hon. Members and those whom they represent refuse to accept the judicial tribunal appointed by the Government of which they are supporters as a fair tribunal. But I do not appeal to extreme and unreasonable persons like those who have interrupted me. I appeal to the Government and the Prime Minister, and I say that from their point of view they must accept and satisfy the decisions of the tribunal appointed by the Prime Minister in 1881. They must admit that the Assistant Commissioners have impartially performed the duty since then. Under these circumstances what excuse, what ground can my right hon. Friend give for transferring the appointment of these Commissioners to the new Irish Parliament? I could refer my right hon. Friend to a passage in one of his speeches in which, referring to the difficulties which were likely to arise from the continued unsettlement of the Land Question, he said that the old sentiments and opinions of the Irish people resulting from the experience of a long period of years were so much opposed to the existing state of things that they could not be expected not to take advantage of the power in order to—I am afraid of misquoting him, but the effect was this—in order to sustain their case where it differed from the position at present occupied by those whom they regarded as their hereditary foes—

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

#### ELEMENTARY EDUCATION (SCHOOL ATTENDANCE) BILL.—(No. 241.)

As amended, considered; to be read the third time upon Monday next.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 427.)

Read the third time, and passed.

#### CONTROVERTED ELECTIONS (HALIFAX.)

Mr. SPEAKER informed the House that he had received from the Judges appointed to try the several Election Petitions the following Certificate and

*Mr. J. Chamberlain*

Report relating to the Election for the Borough of Halifax:—

The Corrupt Practices Prevention Acts, 1854 to 1883.

To the Right Honourable the Speaker of the House of Commons.

We, the undersigned Judges of the High Court of Justice, and two of the Judges for the time being for the trial of Election Petitions in England, do hereby in pursuance of the said Acts certify that upon the 11th day of August, 1893, we duly held a Court at the Royal Courts of Justice in London, in the County of Middlesex, for the trial of and did proceed to try the Election Petition for the Borough of Halifax, in the West Riding of the County of York, between Alfred Arnold, Petitioner, and William Rawson Shaw, Respondent.

And, in further pursuance of the said Acts, we report that on the said 11th day of August, 1893, after the examination of some witnesses, and after hearing Counsel for the Petitioner and for the Respondent, we ordered that the Petition be dismissed with costs.

And we further determine that the said William Rawson Shaw, being the Member whose Election and Return were complained of, was duly elected and returned for the said borough, and that Alfred Arnold was not duly elected for the same; and we do hereby certify such our determination.

Dated this 11th day of August, 1893.

H. HAWKINS.

LEWIS CAVE.

#### STATUTE LAW REVISION (No. 2) BILL [Lords].

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 437.]

#### COPYHOLD (CONSOLIDATION) BILL [Lords].

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 438.]

#### TRUSTEE (CONSOLIDATION) BILL [Lords].

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 439.]

House adjourned at five minutes after Twelve o'clock, till Monday next.







HOUSE OF COMMONS,

*Monday, 14th August 1893.*

QUESTIONS.

TRAGES ON INDIAN NATIVES.

MR. WEBB (Waterford) : I beg to call the Under Secretary of State for India to whether his attention has been called to a paragraph in *India* for this month, in which it is stated that a man named John Rugby kicked an Indian coolie to death, and was fined £10. Guard Price was accused of robbing the modesty of an Indian woman, and was acquitted, although the Judge trying the case admitted having charged the jury in one direction, that is, with a strong bias for the accused; and whether he will make inquiries into the circumstances of these cases?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, Bedford) : The Secretary of State has seen this paragraph. As regards the first case, he will make inquiry. As regards the second, he is informed that there is no ground on which the decision of the Court can be questioned.

UPPER THAMES CONSERVATORS.

MR. H. L. W. LAWSON (Gloucester, Gloucester) : I beg to ask the President of the Board of Trade whether his attention has been called to a statement that one-third of the number of electors of the Commissioners who elect the four representatives of the Upper Thames on the Board of Conservators are either ignorant or incapable of identification; and whether in the town of Maidenhead out of a population of 10,000 only 43 are voters; whether he is aware the Clerk to the Conservancy Board alleges that he has no power to strike off the names of dead persons from the register; whether, under the Act of 1866, it is his duty to make up the register of those entitled to vote and constituted Commissioners under the Act of 1795; if not, who is responsible; and whether he proposes to make any change in the administration of the Act in this respect?

MR. L. XVI. [FOURTH SERIES.]

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) : I was not aware of the statements referred to in the first two paragraphs of the question. Under the Thames Navigation Act, 1866, the Secretary to the Conservators makes out a list of persons entitled to vote, which is revised by the Board of Trade, who remove names of persons known by them to be dead or disqualified. It is obvious that any removal must be made with caution. The whole question of the constitution of the Thames Conservancy Board will be dealt with next Session, in compliance with the clause of the Bill on the subject now before Parliament.

LIGHTS ON THE PORTUGUESE COAST.

MR. BEITH (Inverness, &c.) : I beg to ask the President of the Board of Trade, with a view to the safety of British shipping on the coast of Portugal, what steps, if any, have been taken to give effect to the recommendation of the Court of Inquiry on the loss of the steamship *Roumania* in October last, near Peniche, Portugal—

“That the Burling’s Light should be altered to a quick flashing light of equal power to the present light”?

MR. MUNDELLA : The Report of the Court of Inquiry referred to by the hon. Member was communicated by the Board of Trade through the Foreign Office to the Portuguese Government, who have stated their intention of improving the light on Burling’s Island.

TYPHOID FEVER AT AUCHINTIBBER.

SIR C. CAMERON (Glasgow, College) : I beg to ask the Secretary for Scotland whether his attention has been called to the threatened eviction of 18 households at Auchintibber, Lanarkshire, in consequence of an outbreak of typhoid fever in the village, attributed to a contaminated water supply; whether any steps have been taken by the Sanitary Authority to provide a pure supply; whether the eviction proceedings have been taken at the instance of the Sanitary Authority, or at that of the proprietor of the houses; and whether the Board of Supervision have had their attention directed to the epidemic and its cause?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) : In reply to the hon. Mem-

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ber, the attention of the Board of Supervision was called to the outbreak of enteric fever which took place at Clyde Rows, Auchintibber, in October last, in consequence of an impure water supply, by the Annual Report of the Medical Officer. The Local Authority, in the due performance of their duty, obtained a decree from the Sheriff ordaining the proprietor to introduce a pure supply. It appears, however, that pure water is not to be had in the locality, and the proprietor has accordingly decided to close the houses, and served the necessary notices on the occupiers to quit. The Local Authority are making every effort to improve the sanitary condition of their district, and have undertaken a very extensive and costly scheme to supply the whole of the Middle Ward of Lanarkshire with an abundance of pure water. These works are in progress under the Lanarkshire Water Act, 1892; and when completed no district in Great Britain will be better provided for.

SIR C. CAMERON: But could not a temporary water supply have been provided for these unfortunate people? Was it necessary to resort to this harsh measure?

SIR G. TREVELYAN: I cannot profess to answer that question. The only Body with authority to interfere is, I conceive, the Local Authority, which might cease to press the proprietor. I will communicate with the Board of Supervision to see if anything can be done.

#### ANSTRUTHER UNION HARBOUR.

MR. ANSTRUTHER (St. Andrews, &c.): I beg to ask the Secretary to the Treasury whether his attention has been drawn to the Report of Messrs. Stevenson, Engineers to the Fishery Board for Scotland, contained in Appendix L., No. 1, of the Eleventh Annual Report of the Fishery Board for Scotland, 1892, in which Messrs. Stevenson state, with reference to Anstruther Union Harbour, if these large boats are to prosecute the fishings with advantage they must be able to enter and leave the harbour at nearly all states of the tide, and this object can only be attained by the construction of breakwaters outside the present entrance; and whether the Commissioners of Her Majesty's Treasury will reconsider their refusal, in reply to a

*Sir G. Trevelyan*

Memorial of the Commissioners of this harbour, to make any grant for the purpose of these necessary improvements?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): I have seen the Report referred to. I am afraid that nothing has occurred to enable me to add to or modify the answer which I gave my hon. Friend on the 23rd February last. In that answer I explained carefully the reasons why, in the absence of any effort on the part of the locality chiefly interested to forward the scheme of improvement, the Treasury did not feel justified in adding to the large amount spent upon the harbour from moneys provided in one form or other by Parliament—namely, £80,000—for none of which has the State received any return.

MR. ANSTRUTHER: Will the Treasury give a favourable answer to the communication of the 27th July, in which the Harbour Board ask leave to apply to the works an unexpended balance in their hands of £300?

SIR J. T. HIBBERT: I will inquire. I have not seen the application.

#### AUSTRALIAN PAPER POSTAGE.

MR. HOGAN (Tipperary, Mid): I beg to ask the Postmaster General whether he is aware that a serious loss will be entailed upon the proprietors of the principal Australian weekly journals by the imposition of the new 2½d. rate of postage, which came into operation on 1st July; and whether it is possible under the existing law to allow Australian journals having publishing offices in London to be registered for circulation within the United Kingdom, so as to reap the benefit of the ordinary ½d. rate instead of being charged the present fee of 2½d; and, if not, whether he can hold out any hope of such an amendment of the law in that respect as will remedy the grievance referred to?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): The charge of 2½d. referred to in the first part of the question is that made for a newspaper weighing from 8 to 10 ounces when sent from Australia to this country. The postage is the same as that payable on a newspaper of like weight sent hence to Australia. I have no knowledge how the decision of the Colonial Governments to adopt this rate

will affect Australian newspaper publishers. As regards the second part of the question, I would refer the hon. Gentleman to the reply which I gave him on the 19th June last. I cannot see my way to recommend any such alteration of the law as the question suggests.

#### THE QUEENSTOWN MAIL SERVICE.

SIR T. ESMONDE (Kerry, W.): I beg to ask the Postmaster General if he has considered the question of the future contract for the carriage of the mails from Queenstown to London, with a view to ascertaining whether a more expeditious service can be obtained?

MR. A. MORLEY: I understand the hon. Member's question to refer particularly to the contract for the Mail Packet Service between Kingstown and Holyhead. That contract has yet two years to run, so that the time for considering the future contract has not arrived. When it does arrive the whole question shall receive very careful consideration.

MR. SEXTON (Kerry, N.): Has the right hon. Gentleman considered the suggestions made to him the other day by a deputation of hon. Members as to the special service from Queenstown to London; and, if so, at what conclusion has he arrived as to such a service when the mail packets arrive too late for the ordinary service?

MR. A. MORLEY: That hardly arises upon the question on the Paper. The matter is, however, having my careful consideration.

#### THE GOVERNORSHIP OF SOUTH AUSTRALIA.

MR. HOGAN: I beg to ask the Under Secretary of State for the Colonies whether he can now communicate the decision at which Her Majesty's Government have arrived in the matter of the application of the South Australian Government that Chief Justice Wray should, on the departure of the Earl of Kintore, act as Governor for an indefinite period?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): In reply to the hon. Member's question,

I can only say that we are awaiting a further communication from the Colony on the subject.

#### THE TAXATION OF HINDU TEMPLES.

MR. SNAPE (Lancashire, S.E., Heywood): In the absence of my hon. Friend the Member for East Bradford, I beg to ask the Under Secretary of State for India if the Secretary of State for India is aware that the Notification, No. 927A, of 8th April, 1893, issued by the Government of the North-West Provinces, still leaves the Municipality of Benares the power to tax certain Hindu temples for local rates; is the Secretary of State aware that Clause 1 of Section 63 of Act IV. of 1884, passed by the Madras Government, defines the law with respect to the rating of temples; that since that date the various Administrations have all passed Acts and Resolutions in conformity with the Madras Act; and that, in consequence, the temples of every city in India are exempted from taxation, except the City of Benares; and will the Secretary of State direct the Government of the North-West Provinces to make the practice of the Municipality of Benares agree with the principles of the Madras Act and with the practice of the rest of India?

\*MR. G. RUSSELL: The Secretary of State for India has not seen the Order or Notification, issued by the Government of the North-West Provinces, which my hon. Friend quotes. The Report, which was called for in conformity with the answer I gave to his question on the same subject on the 25th April last, has not yet been received from India. A telegram has been sent requesting them to accelerate their Report. The Madras District Municipalities Act of 1884 does, as stated in the question, exempt places set apart for public worship, among other exemptions, from the municipal tax on buildings and lands. So, also, does the Bengal Municipalities Act. But, so far as the Secretary of State is aware, neither the Punjab Municipalities Act, nor the Burma Act, nor the Central Provinces Act contains such an exemption. In all these Acts the Municipal Commissioners, the majority of whom are chosen by the ratepayers, have power "to define the persons or property to be taxed." The Secretary of State does not propose

to issue any Orders in the matter until he receives the Report which he has requested the Government of India to submit. The matter is one on which parties interested might suitably cause a question to be asked in the Local Legislative Council.

#### ALLEGED PLOT TO BLOW UP THE HYDERABAD RESIDENCY.

**MR. SEYMOUR KEAY** (Elgin and Nairn): I beg to ask the Under Secretary of State for India whether he is aware that a person named Jawad Hussain has been arrested in Hyderabad, Deccan, on a charge of plotting to murder the British Resident, Mr. Plowden, or to blow up the Residency with dynamite; and that the arrest is stated to have been in consequence of the production to the Nizam by Mr. Plowden of a letter purporting to warn him that such a plot existed; whether there is any ground to believe in the existence of such a plot; and, if so, are any other persons stated to be implicated in it; what was the cause of the banishment from Hyderabad, on 15th ultimo, of the Political and Financial Secretary, the Nawab Mohsin-ul-Mulk, Mehdi Ali; and, having regard to the circumstance that similar designs on Mr. Plowden's life when he was Resident at the Court of the Ruler of Cashmere were attributed to that Ruler, and were without inquiry afterwards put forward as one of the causes officially assigned for his deposition, Her Majesty's Government will direct that a full and careful inquiry be made by some independent authority into the facts connected with the alleged plot, so as to insure that no injustice is done to the Nizam's Government?

**MR. G. RUSSELL:** The Secretary of State has seen a newspaper statement that Mr. Plowden had received the anonymous letter referred to by my hon. Friend. He has not received any information from the Government of India on the subject, nor as to the banishment of Mehdi Ali. He has, however, telegraphed for information on the subject.

#### THE DIRECTOR GENERAL OF INDIAN RAILWAYS.

**SIR R. TEMPLE** (Surrey, Kingston): I beg to ask the Under Secretary of State for India whether it is a fact that it is proposed to appoint to the post of

*Mr. G. Russell*

Director General of Railways in India Colonel Bissett, R.E., the agent of, and largely interested in, the Guaranteed Bombay, Baroda, and Central Indian Railway; whether Colonel Bissett's appointment, if confirmed, will interfere with the prospects of officers who have served continuously in the Department of Public Works, Colonel Bissett having been absent from that Department eight years; whether the claims of other officers of approximately the same standing in the Public Works Department have received due consideration; and whether, in the interest of the Indian Government and of its servants receiving just and adequate consideration in regard to such high appointments, the Secretary of State has considered the advisability of appointing a Public Works Department Officer as Public Works Member of the Viceroy's Council?

**\*MR. G. RUSSELL:** The Secretary of State has received no communication from the Government of India as to the appointment of Colonel Bissett to the post of Director General of Railways in India; and, therefore, I am not in a position to answer the hon. Baronet's questions. The appointment of a special Public Works Member of the Viceroy's Council is not considered necessary or desirable at the present time.

#### THE INDIAN OPIUM COMMISSION.

**SIR J. GORST** (Cambridge University): I beg to ask the Under Secretary of State for India whether several persons have already been invited by Her Majesty's Government, and have accepted the invitation, to become Members of the Indian Opium Commission; what is the estimated cost of the Commission; whether the Indian Council have yet consented to the cost being defrayed out of the Revenues of India; and whether the assent of the Indian Council to the proposed expenditure has been taken for granted, or whether, in the event of their refusal, Her Majesty's Government have any alternative source of supply in view?

**\*MR. G. RUSSELL:** No appointments have yet been made to the Royal Commission on Opium; but the Secretary of State has taken steps to ascertain whether certain gentlemen would be willing to serve on it if appointed. The arrangements are not yet sufficiently ad-



vanced to allow of any estimate being formed as to the cost; but it will, no doubt, be large. The Council of India have not consented to this charge being defrayed from Indian Revenues, nor has any proposal on the subject been placed before them. In no case can their assent be taken for granted; but as yet Her Majesty's Government have come to no decision as to the source from which this expenditure should be met.

**SIR J. GORST:** I understood the Government stated the other day, in answer to a question, that they had come to the conclusion that the expense should be defrayed out of the Revenues of India. Now, the hon. Gentleman says this matter is still under consideration. What is the position of affairs?

**MR. G. RUSSELL:** I have not had an opportunity of speaking to the Secretary of State on the subject; but I believe my right hon. Friend will find that I am correct in saying that no final decision has been arrived at, and that the matter is still the subject of correspondence between the Secretary of State and the Government of India.

#### DUBLIN UNIVERSITY.

**MR. A. O'CONNOR** (Donegal, E.): I beg to ask the Secretary to the Treasury if he can now state whether he will cause investigation to be made as to the estates which are liable under the 219th section of the Act of Settlement for the maintenance of a second College in the University of Dublin?

\***SIR J. T. HIBBERT:** Some information as to the estates which are liable under the 219th section of the Act of Settlement for the maintenance of a second College in the University of Dublin may be obtained at the Public Record Office, Dublin. Such of the proceedings of the Commissioners under the Act of Settlement as are extant are at the Public Record Office in Dublin, and there are two series of rentals at the same office containing the quit rents which were imposed on the estates dealt with by the Act of Settlement—one of which series of rentals is dated 1692, the other 1706. The Government cannot undertake any investigation on the subject.

#### LONDON COUNTY COUNCIL (GENERAL POWERS) BILL.

**MR. H. L. W. LAWSON:** I beg to ask the President of the Local Government Board whether it is proposed, by agreement with the House of Lords on the London County Council (General Powers) Bill, to give the County Councils of Essex, Surrey, Middlesex, and Kent representatives on the Thames Conservancy Board; and whether, if this be so, he will consider the expediency of giving some representation to the other riparian Counties of Bucks, Berks, Gloucester, Oxon, and Wilts by the same method?

\***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.): My hon. Friend is probably not aware of what passed in the House on Friday last in reference to this question.

#### RECRUITING IN THE ARMY.

**MAJOR RASCH** (Essex, S.E.): I beg to ask the Secretary of State for War whether, in view of the serious falling-off in recruiting during the last six months, he will carry out the suggestions of the Wantage Committee in the direction of abolition of stoppages, free kit, and 1s. per day (as advertised), and give additional Government assistance in the employment of reserve and discharged soldiers?

\***THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): I have already stated, in reply to a question, what is the amount of the partial falling-off in the number of recruits enlisted, and also what is its principal cause; and I intimated in the discussions on Army Estimates how far Her Majesty's Government is prepared to go in carrying out the recommendations of the Committee over which Lord Wantage presided. Of the special points referred to in the question, changes have been sanctioned in regard to the clothing of the soldier, and further assistance has been afforded to the Society for Procuring Employment for Discharged Soldiers.

#### THE CONGESTED DISTRICTS BOARD (IRELAND).

**SIR T. ESMONDE:** I beg to ask the Chief Secretary to the Lord Lieutenant



of Ireland if he can state when the Return relative to the Congested Districts Board (Ireland) will be laid upon the Table of the House?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): It is hoped that the Return will be presented to Parliament by the end of this month.

#### ARSON IN COUNTY FERMANAGH.

**MR. DANE** (Fermanagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that upon the night of the 1st August a large quantity of turf built in two stacks upon the lands of Cornahitta, near Belleek, in the County Fermanagh, the property of Patrick Keown, was maliciously destroyed by fire; whether he is aware that on the 21st July an article was published in *The Donegal Vindicator* calling upon the Towra Branch of the National Federation to deal with the person who had built a wall upon a farm from which a man named Henry M'Laughlin had been evicted many years ago, Patrick Keown being the person who had built such wall; has any person been made amenable; whether he is aware that in the same newspaper an article was published instigating attacks upon the Protestant people attending the gospel mission services at Bundoran; and will the Government take steps to punish the past and prohibit the future instigation of outrages by newspapers?

**MR. J. MORLEY**: It is a fact that on the 1st instant 49 horseloads of turf, the property of Patrick Keown, were maliciously destroyed by fire. No person has yet been made amenable in respect of this outrage. With regard to the particular newspaper publications referred to, I am advised that though they are open to considerable censure, yet the Criminal Law has not been violated, and that it would be impossible to establish in a Court of Law any connection between the publications and the acts complained of.

**MR. M. J. KENNY** (Tyrone, Mid): Is the right hon. Gentleman aware that the editor and proprietor of this paper is a Protestant?

**MR. J. MORLEY**: I have no information on that point.

*Sir T. Esmonde*

#### THE ROCHESTER MAGISTRACY.

**VISCOUNT CRANBORNE** (Rochester): I beg to ask the Secretary of State for the Home Department whether there were more than two vacancies on the Bench of the City of Rochester; and, if not, was there a difficulty in finding sufficient Magistrates to do the work; would he explain why the Lord Chancellor has recently appointed five new Magistrates, four of whom are supporters of the present Government and only one a Conservative; and what means he took to discover the fitness of these gentlemen for the position of Magistrates?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. ASQUITH, Fife, E.): The Lord Chancellor is not aware what is meant by "vacancies on the Bench." It has never been the practice of the Lord Chancellors to consider that each Bench is only entitled to a fixed number of Magistrates. The opponents of the present Government on the existing Bench were in a large majority; and, notwithstanding the recent appointments, the Lord Chancellor believes that the supporters of the Government are still in a minority. The Lord Chancellor made full and ample inquiry in the same manner as he believes has been usually made by his predecessors, and he satisfied himself as to the fitness of the persons appointed.

**VISCOUNT CRANBORNE**: But does the Lord Chancellor, in determining these appointments, only consider the relative proportion of Parties on the Bench?

**MR. ASQUITH**: No, Sir; the Lord Chancellor considers a number of other things.

#### THE CARDIGANSHIRE INTERMEDIATE EDUCATION SCHEME.

**VISCOUNT CRANBORNE**: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that under the Cardiganshire Scheme of Intermediate Education boys who may obtain County Scholarships in the Lampeter and Tregarou District are debarred from holding those Scholarships at the school of St. David's College, the only school in the district; also that the School Board of Lampeter passed a resolution condemning the proposal of the

joint County Education Committee to exclude St. David's School; on what grounds as Vice President has he struck out of Clause 84 of the Scheme prepared by the Charity Commissioners the words which would have placed the school of St. David's College on the same footing as the county schools; and whether he will reconsider his decision?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): As the facts of the case are not quite correctly stated in the question, it may be as well that I should state what the facts are. Two alternative Schemes for the County of Cardigan were submitted—one drawn up by the Charity Commissioners, and the other by the joint Education Committee of the county. The scheme approved was the latter of the two, and no words were struck out of it. The former Scheme, however, did not, any more than the latter, contain words which would have placed St. David's College School on the same footing as the County School. Under either Scheme County Scholarships would not have been tenable at that school, as it is not a school governed by a Scheme under the Endowed Schools Act. The School Board of Lampeter recently passed a resolution to the effect stated in the question; but this was after the Scheme had been approved by the Department.

#### THE IRISH WOMEN'S PETITION AGAINST HOME RULE.

MR. ROSS (Londonderry): I beg to ask the Secretary of State for the Home Department if he has refused to receive a deputation of Irish ladies, who proposed to place in his hands a Memorial to be forwarded to the Queen, addressed to Her Majesty, protesting against the Home Rule Bill, and signed by over 100,000 Irish women; and has he any objection to receive the Memorial and to forward it to Her Majesty?

MR. ASQUITH: I stated a week ago to the promoters of the Petition that if they would send it to the Home Office I should be happy to lay it before Her Majesty. The Petition has now arrived at the Home Office, and as soon as the physical difficulties of transporting the structure in which it is enclosed can be surmounted it will be forwarded to the Queen. It is true that I refused to receive

a deputation from the signatories. It would be altogether contrary to practice, and would establish an inconvenient precedent, if the Secretary of State were to receive deputations in connection with the presentation of political addresses to the Queen.

MR. FLYNN (Cork, N.): I should like to ask, with regard to this Petition, how many of the signatures belong to female servants, how many to school girls, and how many to children who cannot write?

MR. ASQUITH: I have seen the Petition, and it would be a work of great time and labour to examine into the signatures.

#### IRISH PUBLIC WORKS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Secretary to the Treasury when the Report of the Commissioners of Public Works in Ireland for 1892-3 will be circulated?

SIR J. T. HIBBERT: The Report will probably be circulated on Wednesday afternoon.

#### "HUGHES v. VERNON."

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Vice President of the Committee of Council on Education whether he has read the report of a trial at Chester in the case of "Hughes v. Vernon and others," in which the Judge characterised the proceedings of the Senate of the University College of Bangor in an inquiry into the conduct of the Lady Principal of a hostel as a travesty of justice, and from which it appears that the Council of the University College without investigation acted on the finding of the Senate, and withdrew from Miss Hughes her licence to keep a hall, although the Directors of the hall supported Miss Hughes; and whether, under these circumstances, he will cause an impartial inquiry to be made before he applies to Parliament for a grant of £4,000 for the support of the College?

MR. ACLAND: I have seen in *The Times* the report of this case, which was an action for libel brought by Miss Hughes against the proprietors of *The Weekly Despatch*. I do not there find the remarks attributed to the learned Judge; but the report is brief, and I have no reason to doubt the accuracy of the

hon. Member's statement. The question at issue seems to be a matter of internal discipline ; and, quite independently of this trial, it does not appear to me that the fact that the College receives a Treasury grant of £4,000 provides any justification for a Government inquiry in this case.

#### SWEATING IN GOVERNMENT FACTORIES.

MR. MACDONALD (Tower Hamlets, Bow) : I beg to ask the Financial Secretary to the War Office whether the representations made to the War Department with reference to sub-contracting and sweating in the London Small Arms Factory at Bow have been examined ; and, if so, with what result ?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. WOODALL, Hanley) : In consequence of the representations made by my hon. Friend, a careful inquiry has been personally instituted by the Director of Contracts, who was met in a most amicable spirit by the Directors and Managers of the company. Partly on their own initiative, and partly in deference to his suggestions, changes have been made which it may be hoped will fairly obviate the causes of complaint. It has been determined that all piece-work rates for components shall be fixed and recorded at the office, and that wages shall be paid to every man and boy employed directly by the company's cashier instead of through intermediary contractors.

MR. J. BURNS (Battersea) : Will the prices to be paid be posted up in the workshops and room where the men and boys work ?

MR. WOODALL : An undertaking has been given that the prices to which the men and boys are entitled shall be placed in such a position as to make them accessible to every person concerned.

#### TRESPASSING ON AN EVICTED FARM AT STROKESTOWN.

MR. HAYDEN (Roscommon, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mrs. Senahan, of Boorfield, Strokestown, was prosecuted at the Petty Sessions, on 29th June, for retaking possession of the holding from which she was evicted, that the Magistrates dismissed the case, legal possession not

*Mr. Acland*

having been obtained by the party who took the land, and that a fresh summons was issued and heard on 27th July, when a penalty was inflicted ; and will he state on what grounds a conviction was obtained on the second hearing of the case which had been previously dismissed ?

MR. J. MORLEY : I am informed that the woman referred to was prosecuted by the new tenant for wilful trespass, and that the case was dismissed on the first date mentioned, because formal proof of legal possession by the tenant was not forthcoming. Proof of the kind was afterwards given, and on the second occasion a conviction was obtained.

#### SHORT HOURS IN GOVERNMENT FACTORIES.

MR. J. BURNS : I beg to ask the Secretary of State for War whether he is now prepared to announce if any further steps have been taken, by reducing the working hours or otherwise, with a view of averting the threatened reduction in the number of workmen employed in the Government arsenals ?

MR. WOODALL : As I have already stated, in reply to the hon. Member for West Islington (Mr. Lough), the small arms factory at Enfield is closed on Saturdays. I have now to add that with the view of endeavouring to avert a discharge of workmen that would otherwise be rendered necessary in the cartridge factory at Woolwich, owing to the falling-off of work, it has been determined that the hands employed there shall be put on shorter hours.

MR. J. BURNS : May I appeal to the Secretary of State to see that the minimum wage of 19s. recently conceded to labourers is not interfered with ?

MR. WOODALL : The Government is extremely anxious to act with the fullest consideration to all the persons employed under the War Department, and particularly so in the case of men whose minimum rate of wages is 19s. per week. We shall try to find employment for such as are unable to get it on their spare day. I hope the hon. Member will be satisfied with that general assurance.

SIR J. GORST : I beg to give notice that on the Dockyard Vote I will ask the Secretary of State for War to give a detailed account of the measures taken by

the Government in order to give effect to the Resolution passed earlier in the Session.

#### GOVERNMENT CONTRACTS FOR WAR-LIKE STORES.

**MR. HANBURY** (Preston): I beg to ask the Secretary of State for War whether it is the practice of the War Office to make contracts for the supply of shells and other warlike stores with middlemen instead of with the actual manufacturers; whether his attention has been called to the action in the Queen's Bench Division, in which the British Munitions Company alleged that they had contracts with the Government to supply them with shells, and that they sub-contracted with the Simonds Steel and Iron Forging Company to supply them with 40,000 shells, and that the articles supplied would not stand the Government tests; what is the amount of the contract with the British Munitions Company; and when was the contract made?

**MR. WOODALL:** It is the practice of the War Department to make contracts for shells and other warlike stores with the actual manufacturers whenever possible, and not with middlemen. The contract with the British Munitions Company was made in 1887 for £35,000 worth of made-up cartridges, of which the shell formed only a component part. The Department cannot, in all such composite cases, object to the contractors obtaining from other manufacturers a portion of the material required in the execution of the contract.

**MR. HANBURY:** But the whole of the shells were practically got from another firm. Why did the Government not go direct to the manufacturers? The hon. Gentleman speaks of the contract as being of the date 1887. I think that was with a totally different firm, or is it the same firm under another name?

**\*MR. WOODALL:** I am unable to answer the last part of the question without notice. I may say that the severe system of inspection was applied to the shells made by the sub-contractor as well as to all other components.

#### THE POLICE AND PUBLIC MEETINGS IN IRELAND.

**DR. TANNER** (Cork Co., Mid): I beg to ask the Chief Secretary to the

Lord Lieutenant of Ireland if he is aware that, on Sunday the 6th of August, a large body of police were drafted from Bandon, Macroom, and Millstreet, to prevent a public meeting of the inhabitants of Kilcorney, County Cork, being held to express their disapproval of the eviction of Mr. David Leader by Mr. Collins, of Prospect, Cork; and whether he is aware of the fact that Mr. Leader has been evicted in consequence of his inability to pay the arrears of rent in full, and that he has repeatedly offered to submit his claims to arbitration?

**MR. FLYNN:** At the same time, I will ask the right hon. Gentleman whether his attention has been called to the action of District Inspector Bonass (R. I. C.), in calling upon Rev. Mr. O'Keefe, Banteer, on Saturday, 5th instant, to inform him that a meeting intended to be held on the following day would be dispersed by force; is he aware that the meeting was called to protest against an eviction in the neighbourhood; and whether it lies in the power of an Executive officer to proclaim or disperse a legal meeting and conducted in a proper manner?

**MR. J. MORLEY:** In reference to this question, I am informed that a force of police to the number of 44 assembled in the locality mentioned to prevent a meeting in the immediate neighbourhood of the farm from which Mr. Leader has been evicted. The object of the meeting is correctly stated; but, as it appeared to be the intention to hold it beside the evicted farm, which is in charge of two caretakers, it was thought that the meeting would lead to intimidation if held at this spot, and in consequence it was intimated to the promoters that no meeting would be permitted there. With regard to the last paragraph of the question of the hon. Member for Mid Cork, I understand that Mr. Leader was evicted for non-payment of arrears of rent amounting to £258. It is a fact, I am informed, that he is willing to leave his case to arbitration; but I am not in a position to speak as to his ability or inability to pay the arrears in full.

**MR. FLYNN:** The right hon. Gentleman has not answered the last part of my question. I will ask him to do so, and also, for the sake of public convenience, will he state what rule governs the conduct of the authorities with



regard to those meetings; and what makes a meeting which would otherwise be legal illegal if held in the immediate vicinity of an evicted farm?

**MR. J. MORLEY:** It is not within the power of an Executive officer to proclaim or disperse a legal meeting conducted in a proper manner; but one of the objects of the meeting in this case, as announced in the church by the officiating clergyman, was to hold up to public odium those who were responsible for the eviction of Mr. Leader, the tenant. That announcement naturally gave colour to the object of the meeting. The hon. Member asks what our rule in these cases is. My rule is that if a meeting is likely to lead to unlawful action directly by reason of its proximity to an evicted farm the police have orders to prevent such a meeting.

**MR. W. JOHNSTON (Belfast, S.):** Was it in consequence of the altar denunciation by the priest that the right hon. Gentleman has put down this meeting?

**MR. J. MORLEY:** No; not at all. I do not know that there was any altar denunciation. But what was said, and other circumstances, led the authorities on the spot to suppose that it would have, and was meant to have, an intimidatory effect. The meeting being announced to be held close to or upon the evicted farm—I forget which—the Executive officer very properly said it would not be allowed.

**MR. SEXTON (Kerry, N.):** May I ask whether in cases of this kind the information of the danger apprehended is on oath or is it an ordinary Police Report? Do the Central Government act in each case, or are the instructions to the police general?

**MR. J. MORLEY:** The instructions to the police are not general. They are given by the Central Authority almost in each case, and in each case wherever time allows. The information is not on oath, and could not be so, because in all cases it is, after all, a constructive inference, formed by those who have full knowledge and information of all the local circumstances.

**MR. FLYNN:** The constructive inference is exactly where the danger comes in. For the sake of future convenience, may I ask what regulations the authorities have laid down with regard to a public

*Mr. Flynn*

meeting which the promoters believe to be legal, and at which no language of an unlawful or intimidatory character is intended to be used?

**MR. J. MORLEY:** The authorities must judge in each case. No general rule can be laid down. The authorities must judge of every case, as it is for this that an Executive Government exists.

**MR. DODD (Essex, Maldon):** Is the law with respect to such matters in any way different in Ireland to what it is in England?

**MR. J. MORLEY:** I fancy not, but I cannot say for certain.

#### INCOME TAX COMMISSIONERS IN THE ISLE OF THANET.

**MR. BENN (Tower Hamlets, St. George's):** I beg to ask the Secretary to the Treasury whether he is aware that in the Margate District, Isle of Thanet, out of 24 Commissioners of Property and Income Tax (General Purposes for Inhabited House Duty) and Land Tax, 22 are Conservatives and one Liberal Unionist; and whether he can take any steps to remedy this exclusion of those holding Liberal views?

**SIR J. T. HIBBERT:** The Income Tax Commissioners are appointed by the Land Tax Commissioners, who are appointed by Act of Parliament. The hon. Member will, therefore, see that I have no power in the matter. I have no information as to the politics of the Commissioners for the Margate District.

**MR. BARTLEY:** May I ask on what authority it is stated that these gentlemen belong to a particular political Party? Is there any Return or published information upon which these statements can be based?

**SIR J. T. HIBBERT:** I think it is very easy to ascertain the politics of any person.

#### REPORTS ON IRISH FISHERIES.

**MR. BODKIN (Roscommon, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has observed that the Annual Report of the Inspectors of Irish Fisheries lately presented to Parliament, so far as one important branch of sea fishing is concerned, deals only with the year 1892, though the spring mackerel fishing of 1893 had passed before it was prepared or presented; whether it would be pos-



sible for the Inspectors to make a Report at the end of each mackerel fishing season, showing results of season immediately preceding, so that the owners of the fishing vessels and fishermen generally might be able to gain some information where they would be most likely to obtain profitable results during the ensuing season; whether he is aware that such Reports were made during the last years of Sir Thomas Brady's tenure of office, and proved most serviceable to the fishing interest; and for what reason have they been discontinued by his successor, Mr. Cecil Roche?

**MR. J. MORLEY:** The late spring mackerel fishing had not quite passed when the Annual Report of the Inspectors was presented to Parliament. Special Reports on the spring mackerel fishing seasons of 1890 and 1891 were prepared by the Inspectors of Fisheries, of whom Sir Thomas Brady was one, and the Inspectors have now in hand a Report on the spring fishing season of 1893, which will be issued with the least possible delay.

**MR. BODKIN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how the statement, made at page 19 of the Report of Inspectors of Irish Fisheries, lately presented to Parliament, referring to the mackerel fishing at Arran Island, that "after all deductions, the prices realised by the fishermen averaged 24s. per 100," can be reconciled with the Schedule, at page 23, where the prices given as having been obtained from the buyers were 12s. to 24s. per 100; whether the deductions made were 14s. per 100 fish; whether the quantity of fish landed at this place was, as stated in the Schedule at page 23 of Report, 4,993 hundreds, which, at 24s. per 100, would give to each vessel employed at Arran during that season over £600; and whether it is the fact that any vessel received any such sum of money over and above all deductions?

**MR. J. MORLEY:** I understand that the figures in the Schedule at page 23 of the Report of Inspectors of Irish Fisheries, referring to the mackerel fishing at Arran Island—namely, 12s. to 24s. per 100, should have been simply 24s. per 100. The reduction made for expenses was about 14s. per 100. The quantity of fish landed at Arran was 4,993 boxes,

equivalent, in round numbers, to about 300,000 fish—each box containing from 50 to 60 fish. It was not all sold at the same price, but in different quantities at different prices. None of the vessels received a sum of £600 over and above deductions in the spring of 1892. The net amount paid to each boat varied from £27 to £427, according to the length of time employed and the quantities of fish caught. The total earning of the several boats was £2,916, and this sum would yield an average price of about 24s. per box of 100 to 120 fish.

**\*MR. GIBSON BOWLES** (Lynn Regis): Does the right hon. Gentleman mean to say the fish fetched 24s. per 100.

**MR. J. MORLEY:** 24s. a box of from 100 to 120.

**MR. BODKIN:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will grant the Return that stands on the Paper this day relating to Congested Districts Board (Fisheries)?

**MR. J. MORLEY:** It is suggested that the Return should be in the following form:—Return showing under the following heads the result of the spring mackerel fishery at Arran Island, County Galway, for the seasons 1892 and 1893, respectively:—(1.) Quantity of fish in hundreds taken by each vessel. (2.) Net amount paid to each vessel. (3.) Average price per 100 paid to each vessel. (4.) Gross amount the fish produced. If the hon. and learned Gentleman will move for the Return in this form it will be granted.

**MR. BODKIN:** I will move it in that form.

#### THE EVICTED TENANTS COMMISSION.

**MR. BARTLEY** (Islington, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now inform the House whether the Government has decided to take any action on the Evicted Tenants Commission this Session?

**MR. J. MORLEY:** The Government are not yet able to state their intentions on this matter. They cannot make any announcement until further progress has been made with the Government of Ireland Bill.

# THE FACTORY AND WORKSHOPS ACT IN LONDON.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether he is aware that, as reported in *The Star* of 10th August, Mr. De Rutzen, one of the Metropolitan Magistrates, is going to hear again some summonses, under the Factory and Workshops Acts, previously dismissed by him; whether the summonses referred to are those against the decision on which notice of appeal was given by Her Majesty's Superintending Inspector of Workshops, Mr. Lakeman; whether those appeals have been withdrawn; and, if so, on what grounds; and whether the appeals against recent decisions by Mr. Plowden, another Metropolitan Magistrate, on other summonses under the same Acts, are to be proceeded with; and, if not, for what reason?

MR. ASQUITH: There were four cases before Mr. De Rutzen in which the summons was pronounced informal. I understand that fresh summonses are to be granted and the cases heard on their merits. There is no appeal in cases that are dismissed, but application may be made for a case to be stated on a point of law. In these four cases no such application was made. There were two cases before Mr. Plowden both dismissed, and in both a case was asked for. As to one of them, it was not thought a favourable case, and was dropped accordingly. As to the other case, I may refer to the answer I gave in this House on the 21st of last month.

## VACANT EDUCATION EXAMINERSHIPS.

MR. KIMBER (Wandsworth): I beg to ask the Vice President of the Committee of Council on Education whether the clerks who applied for the vacant examinerships were barred on account of age; and whether the Department sets any limit of age as regards the promotion of clerks to be examiners?

MR. ACLAND: The clerks in question were not barred on account of age, and I am not aware that the Department sets any limit of age as regards such promotion.

## THE MERIONETHSHIRE EDUCATION SCHEME.

MR. BARTLEY: I beg to ask the hon. Member for Merionethshire, as re-

presenting the Charity Commission, whether, as Clause 91, Sections B and C, in the Merionethshire Scheme, under the Welsh Intermediate Education Act, prohibits the user of the formularies of any particular denomination in the family worship of a hostel or boarding-house of a school connected with such denomination, and the teaching of the distinctive tenets of any particular denomination to boarders in any such hostel unless the County Governing Body so allow, he will state what arrangement is to be made for securing denominational religious instruction to those children who, as boarders, will spend the greater part of their school life in such hostels or boarding-houses?

\*THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): The clause to which the hon. Member refers is drawn subject to the provisions of the section in the Endowed Schools Act of 1869, relating to religious instruction. The Scheme does not touch any school connected with any particular religious denomination. Clause 91 of the Scheme relates to a hostel or boarding-house forming part of the foundation of the school. The arrangement regarding special religious instruction for boarders is twofold. By Section C of the clause, the County Governing Body may make regulations enabling the person in charge of a hostel to give either by himself or by deputy religious instruction of a denominational character to boarders whose parents signify in writing a wish for such instruction. It is further expressly provided by Section A of Clause 91 that boarders shall be allowed to attend such places of worship and to have reasonable facilities for religious instruction from such religious teachers as their parents may choose for them.

SIR W. HART-DYKE (Kent, Dartford): Kindly give the clause in the Endowed Schools Act?

MR. T. E. ELLIS: Section 16 of the Endowed Schools Act, 1869.

MR. STANLEY LEIGHTON: May I ask if this power, which is given in Section 91 of the Merionethshire Scheme, was not proposed in the original Intermediate Education Act, and refused by Parliament?

\*MR. T. E. ELLIS: We have done our best to read the Act of 1869 and the

Welsh Act and to apply them to the circumstances of the county, and the best declaration we can make is the Scheme.

**MR. BARTLEY :** Supposing the Local Authority does not think proper to allow this religious instruction at these schools, is there any power under the Endowed Schools Act by which that may be remedied, or does it entirely depend upon the wish of the Local Authority whether these children shall be taught religion at all?

**MR. T. E. ELLIS :** No, Sir. Section 9 most distinctly states—

“That boarders shall be allowed to attend such places of worship and to have reasonable facilities for religious instruction from such religious teachers as their parents may choose for them.”

I think nothing more full and ample could be provided.

**VISCOUNT CRANBORNE :** Does not this only refer to day scholars, and not to boarders?

**\*MR. T. E. ELLIS :** I cannot pass judgment upon the hon. Member's interpretation, but the section clearly refers to boarders.

#### THE POLICE AT THE ALBERT MEMORIAL.

**MR. STERN (Suffolk, Stowmarket) :** I beg to ask the Secretary of State for the Home Department whether the police who have to be on duty at the Albert Memorial during the night have no shelter provided for them, although the stations are fixed ones; and, if so, whether any arrangement can be made to provide shelter for them during the winter months?

**MR. ASQUITH :** By present arrangements there are no shelters provided for the police on fixed-point duty, but the subject is under the consideration of the Commissioner.

#### CUSTOMS OFFICERS' SALARIES.

**MR. BYLES (York, W.R., Shipley) :** I beg to ask the Secretary to the Treasury if he will explain why it is that, although by an Order of the 19th January last an increased minimum and maximum salary has been granted to the grade of Customs officers known as principal coast officers, and an allowance of £10 per annum to about 30 of those officers who are Registrars of Shipping,

the increased salary has been paid from the date of the said Order, but the allowance to Registrars of Shipping has been paid only from the 1st of April, making a difference to those officers of nearly £2 each; and whether instructions will be given that the allowance may also be paid as from the 19th January?

**\*SIR J. T. HIBBERT :** The reason why the increased salary and the allowance for registry work granted to principal coast officers took effect from different dates was that inquiry had to be made as to the amount of registry work performed, and this inquiry was not completed for some time, whereas no such inquiry was necessary in the case of the increased salary, and in the latter case immediate effect was given to the Treasury decision. I see no reason for giving instructions to the effect desired by the hon. Member.

#### WORK FOR THE UNEMPLOYED.

**MR. KEIR HARDIE (West Ham, S.) :** I beg to ask the President of the Local Government Board whether he can now state the extent of the powers possessed by Boards of Guardians for setting able-bodied destitute persons to work on land, and in a productive capacity, and paying them reasonable wages therefor; and whether such employment necessarily implies disfranchisement?

**MR. H. H. FOWLER :** I am not yet in a position to answer that question.

#### IRISH LOANS.

**SIR J. GORST :** I beg to ask the Secretary to the Treasury whether he will inform the House, in the form of a Return, or otherwise, what is the total amount of the loans comprised in Clause 14 of the Government of Ireland Bill; what are the Acts of Parliament under which they have been advanced; what is the average currency of such loans from the present time; and what is the average rate of interest payable thereon?

**\*SIR J. T. HIBBERT :** The loan statements which are to be found in the annual Finance Accounts give full details of the loans which would be comprised under Clause 14 of the Government of Ireland Bill, and the Acts under which the advances have been made. The currency of the loans in Ireland made by the Commissioners of Public

Works and the Public Works Loan Commissioners varies considerably, but the most prevalent currency of such loans is 35 years. The amount of interest received in respect of these loans in 1892-3 was £265,137 on a total amount outstanding of £7,864,358, which would give an average rate of interest of about £3 7s. 6d. The Return moved for by the hon. Member for the South Division of Huntingdonshire (Mr. Smith-Barry), which will be immediately issued, will afford additional information respecting these loans. The loans made by the Irish Land Commissioners under what are called the "Ashbourne Acts" are, as the right hon. Member is aware, repayable in 49 years, with interest at the rate of  $3\frac{1}{2}$  per cent. per annum.

SIR J. GORST: Do the Ashbourne loans come within Clause 14?

\*SIR J. T. HIBBERT: Yes.

#### DEFALCATIONS BY IRISH POOR RATE COLLECTORS

DR. COMMINS (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the recent defalcations on the part of several poor rate collectors in Ireland, particularly to the latest instance in the Union of Athlone, where the defalcations are alleged to amount to several hundred pounds; whether he is aware that facilities for such frauds are afforded by a system of issuing to the collectors separate blank receipts for each portion of a holding separately rated on the rate books in consequence of which two or more receipts are often issued in the name of the same tenant whose holding may be composed of parts under two or more separate ratings, thus enabling the collector by giving a single receipt for the whole amount paid by the tenant and returning the counterpart filled up for only that to which it applies to conceal his misappropriation of the difference; whether he is also aware that as a check on this kind of fraud the Guardians of some Unions directed the printing of lists of the ratepayers whose rates appeared unpaid according to the collectors' returns, and whether the Local Government Board Auditors disallowed the expense of printing such lists and so removed the check it imposed; and whether, in view of the fact that the de-

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falcations alluded to have occurred chiefly since the withdrawal of that check or when it never existed, the Local Government Board will consider the question of permitting it under such restrictions or with such guarantees as would entitle the Guardians to use it as a privileged communication, or make such rules as to the issue of the blank receipts as would prevent their abuse in the manner indicated, and so as to obviate the facilities for embezzlement which the present system affords?

MR. J. MORLEY: The attention of the Local Government Board has been called to the increased number of poor rate collectors who have recently been guilty of misappropriating the rates, and the Board on the 4th instaut dismissed a collector who had embezzled the Union funds in Athlone and who appears to have adopted the system of fraud referred to in the question. The Board have frequently been obliged to threaten collectors with dismissal for failure to attend at the clerk's offices for the examination of their accounts, and they have also impressed on clerks and Boards of Guardians the necessity for a careful periodical examination of the collectors' books. The Local Government Board are of opinion that in many cases the defalcations result from the practice of allowing collectors to retain money in their hands which they admit having collected, but not lodged; and also, when a collector does become a defaulter, from the failure on the part of the Guardians to take energetic measures to recover the amount from the sureties. The Board of late have frequently had to interfere to press Boards of Guardians to take active steps in such cases. With regard to the latter portion of the question, the Board will consider whether it is possible to adopt additional precautions with the view of preventing fraud on the part of collectors.

DR. COMMINS: Has the additional precaution of prosecuting these defaulters ever been adopted by the Irish Local Government Board?

MR. J. MORLEY: I cannot say.

#### WORKING MEN'S DWELLINGS BILL.

MR. WRIGHTSON (Stockton-on-Tees): I beg to ask the President of the Local Government Board, with reference to the Working Men's Dwellings Bill,



whether the Government, having accepted the principle of the Bill on its Second Reading, and having since then placed numerous Amendments on the Notice Paper for consideration in the Committee stage, and which have all been accepted by the promoters on the understanding that the Government undertook to help the passing of the measure this Session, are prepared to give now or later in the Session an opportunity for sufficient discussion to enable the Bill to pass the Committee stage?

**MR. H. H. FOWLER:** There is one correction I must make in this question to prevent any misunderstanding. The hon. Member says—

“Numerous Amendments on the Notice Paper for consideration in the Committee stage, and which have all been accepted by the promoters on the understanding that the Government undertook to help the passing of the measure this Session.”

The condition under which these Amendments were accepted was that if they were not accepted it would be the duty of the Government to oppose the measure. There was no promise whatever entered into that the Government would help the passage of the measure this Session. I am sorry to say I am not in a position to offer any facilities for the passage of this measure. The hon. Member must apply to the First Lord of the Treasury if he requires further information.

**MR. WRIGHTSON:** I beg to give notice that I will repeat the question.

#### THE FREE COINAGE OF SILVER.

**MR. EVERETT** (Suffolk, Woodbridge): I beg to ask the First Lord of the Treasury whether he has observed that a Bill for the free coinage of silver at the ratio of 24 to 1 has just been introduced into the Senate of the United States: whether, as Her Majesty's Government are now aiming to fix that very ratio between gold in the sovereign and silver in the rupee in India, joint action between the two Governments would be possible, with a view to the re-establishing on a durable basis of a par of exchange between the two money metals of the world; and whether Her Majesty's Government will confer with the Government of the United States upon the matter to see whether united action is possible?

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): The hon. Gentleman assumes that we may usefully enter into negotiations with the United States on account of the presentation of a certain Bill to the Senate of the United States. But the Bill in question in no way represents the policy of the United States Government, and is understood to be opposed to that policy. I rather think that my hon. Friend will see that it could not form, even if it were accepted and passed by the Government, a suitable opportunity for communication with the United States Government, setting apart any question whether there would be justifiable ground for such communication on the passing of such a Bill.

#### THE WOODYETT'S COLLIERY EXPLOSION.

**MR. KEIR HARDIE:** I beg to ask the Secretary of State for the Home Department, to whom I have given private notice of the question, whether a public inquiry will be granted in the case of the Woodyett's colliery explosion, whereby two men were killed and two injured; and whether, pending the inquiry, John Hamilton, who has been arrested in connection with the explosion, will be released?

**MR. ASQUITH:** Yes, Sir; I have ordered a public inquiry to be held in the case of the Woodyett's colliery explosion. With regard to the other part of the hon. Member's question, it had better be addressed to the Lord Advocate.

\***MR. J. B. BALFOUR:** When my right hon. Friend decided that a public inquiry should be held in regard to the explosion, I directed that the Procurator Fiscal should intimate to the law agent of John Hamilton that if he desired an adjournment of the trial, pending the public inquiry, this would be assented to on the part of the Crown, and that in the meantime Hamilton should be released from prison on such bail as he could find.

#### THE TAFF VALE RAILWAY ACCIDENT.

**MR. EGERTON ALLEN** (Pembroke, &c.) asked the President of the Board of Trade whether he had taken any steps to institute an inquiry into the Taff Vale Railway accident?



MR. MUNDELLA : Directly I heard of the deplorable disaster I gave orders for a public inquiry to be held. Major Marindin went down this morning to hold an inquiry on the spot.

#### VITU AND UGANDA.

MR. MACFARLANE (Argyll) : I beg to ask the Under Secretary of State for Foreign Affairs whether he can give any account of the causes which have led to the second bombardment of Vitu, and why a number of British officers have been sent to Uganda?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) : I have seen the reports in the newspapers with regard to the bombardment of Vitu, but we have had no information on the matter at the Foreign Office. With regard to sending additional officers to Uganda, it has been stated in the Press that they were sent to take charge of the country. That is not the case. They are sent to take charge of the Soudanese troops, without prejudice to the question of the future occupation of the country. In fact, we have not yet received any Report from Sir Gerald Portal as to the best method of dealing with the country.

#### GOVERNMENT OF IRELAND BILL.

(No. 428.)

#### CONSIDERATION. [SIXTH NIGHT.]

Order read, for resuming Adjourned Debate on Question [11th August], "That the Clause (Appointment of Land Commissioners,)—(*Mr. Carson*,)—proposed on Consideration, as amended, be read a second time."

Question again proposed.

Debate resumed.

MR. J. CHAMBERLAIN (Birmingham, W.) : When I was interrupted by the clock on Friday night I was endeavouring to point out that the question now before us is one of extreme simplicity. It is whether the Assistant Commissioners should be appointed in the future as in the past by the Imperial Government or whether they should be selected hereafter by the Irish Government. Now, Sir, these Assistant Commissioners stand in a very peculiar position, and I think it will be admitted that their functions

are of a very delicate nature. They have to decide on the agrarian questions which arise between landlord and tenant—that is to say, they have to decide on a matter which has been the subject of the most strenuous controversy for a very long while past in Ireland; they have to decide between two parties who take almost antagonistic and opposite views, and it is of the utmost importance that their decision should command general respect and should be in itself just and fair. Up to the present time these Assistant Commissioners have been appointed by the Imperial Government, and I do not think that anyone can deny that they have discharged their very difficult duty of arbitrators between tenant and landlord with, on the whole, conspicuous success. [A NATIONALIST MEMBER : No!] Does anybody deny it? [A NATIONALIST MEMBER : Yes. Everybody in Ireland.] That will assist me materially in my argument. Nobody denies that these gentlemen have been appointed—the great majority of them—by the present Prime Minister.

MR. T. M. HEALY (Louth, N.) : Not one of the Head Commissioners.

MR. J. CHAMBERLAIN : I should have thought that hon. Members opposite would by this time know that they got no good by these rude interruptions. I say that a large number—I believe the majority of them—were appointed by my right hon. Friend. As to those, at any rate, who were appointed by my right hon. Friend, I imagine there will be no difference of opinion that he and his Government endeavoured to find fair and impartial men. No one will charge my right hon. Friend with any prejudice in favour of the landlords, or with being actuated by any prejudice at all in making a judicial appointment. When it comes to selecting persons for judicial appointments, I am glad to think that our Governments are never actuated by private prejudices. These Commissioners have been selected by the British Government as fair and impartial men. We are told, and I accept the statement, that their decisions have universally—not in one case alone; not only in the case of those who were appointed by the late Government—but have universally given dissatisfaction to hon. Members opposite. Although they are fair men, although, at all events, they were appointed as

fair men, their decisions are considered by hon. Members opposite to have been unfair. That is rather an important admission. It is by hon. Gentlemen opposite under this Bill that these Commissioners will be appointed in future. I have shown that gentlemen opposite will be of necessity the representatives of the tenants—the representatives of one of the parties to this great suit. They are to have in future the selection of the Judges who will not be impartial in the sense in which we have hitherto used the word, but who must be selected because they share the views of hon. Members opposite. I think the Government will admit that this is entirely an exceptional case. We Unionists have very strong opinions about the appointments of Judges and Magistrates generally. We believe the Government would have done better to have followed more closely the precedent of the Provincial Legislatures of Canada, and have deprived the Irish Legislature of the power of appointment to Judicial offices at all. We are not, however, contesting the wisdom of their decision on that point now. But ordinary Judges have to deal not with one class of cases only, but with all classes of cases, and accordingly the vast majority of the cases are not governed by Party or class considerations, and therefore there is less fear, at any rate, that in regard to them the appointments will be of a questionable character. But we are now dealing with the case of a particular class of Judges, who have to decide a question on which there is a sharp difference of opinion between gentlemen opposite and those whom they represent, on the one hand, and ordinary public opinion in this country as represented by the present Government on the other. I will not put it higher than this. I am perfectly well aware that Irish landlords are not a popular class in this country. I will grant, for the sake of argument, that they are as bad as their worst enemies say. I will grant, if you please, that they are none of them good, but are all men of the stamp again and again described and denounced in this House. But even then, unless the last spark of fair play has died out in English breasts, you would not allow these men to be judged by Judges who had been actually chosen by their opponents. Even the worst criminals in this country have the

right of challenging the jury if they think that any member of it is likely to be prejudiced in the matter which has to be adjudicated upon. In some cases they have even I will not say the right, but the privilege, of challenging the Judge. I remember a case a short time ago which happened at Bristol. It was in connection with the Bristol riots, and the Judge who was on the Rota to try the case either withdrew or it was suggested that he should withdraw, and another Judge was specially selected, because the first Judge had expressed some opinion upon the subject to be dealt with. So careful are we in this country that in the trial of any case the persons to be tried shall have an absolutely fair trial? That, I say, is a universal and invariable practice, and yet here in this case—I think by a *lapse* on the part of the Government; I do not believe they themselves have followed out the whole of the consequences of what they are doing—they propose to hand over the whole of the landlords of Ireland to Courts whose presiding officers will be chosen entirely by their opponents. I think I might absolutely rest the case here. I think even if I left it here every impartial hearer would admit that we had a very strong ground for appealing to the Government to accept this new clause. But we go really much further than that. This is not merely a case in which the Judge is to be appointed by one of the parties to the suit, but it is a case in which the Judge who will be appointed, and the persons who will appoint him have prejudged the case. Everyone of them will, before the trial comes on, have prejudged the case, and he will be prepared to decide it in a certain sense. This makes it perfectly monstrous, and carries the injustice further than has, I believe, been sanctioned by any responsible Government. We know perfectly well, when hon. Members opposite say that the decisions of these Assistant Commissioners have given universal dissatisfaction, what it is they mean. We know that the Nationalist Party and their representatives have held that the proper value of land in Ireland is either five years' purchase or the prairie value. Of course, any decision which is not based on that theory is in their view an unfair and unjust decision, and they are bound to take every means

in their power of reverting to and obtaining a decision in the opposite sense. They have again and again attacked these very Judges for the decisions they have given. They have attacked the Government who have appointed them as impartial men because their decisions have not concurred with the opinions they have expressed as to the proper value of Irish land. Well, is it likely that when they have the power to select Judges, they will be satisfied to appoint men who may hold the same opinions as those whom they have already denounced? It is not certain that they will take care to put in these places men whom they can depend upon to give what they would call fair and just decisions? If you throw this duty upon them they are absolutely bound to fulfil it in the way I am suggesting, because the one thing they have promised the tenants on which they have laid the greatest stress and on which they have been advocating Home Rule is that if there were an Irish Government the tenants would obtain better terms than they are obtaining now. They will have to act upon that statement, or the tenants will say they have been deceived. There is only one way in which they can fulfil it, and there is not the slightest doubt that they will take advantage of the opportunity the Government give them to see that the Commissioners shall be selected from the men who hold the extreme view of the value of Irish land—a value which I am perfectly certain is not shared by any Member of the present Government. This is not a case in which the “angelic theory” will serve. I am not making any charge against hon. Members opposite; I am not throwing upon them any imputations of unfair or improper dealing. If they honestly believe that Irish land is only worth the prairie value, they are bound to give effect to their honest conviction, and nobody can blame them. But I appeal to the Government will they have redeemed their pledges if, as a direct consequence of their action, landlords throughout Ireland are forced either to accept the prairie value of their land or to fly for their lives? That is the alternative. If their interests are put in the hands of partisan Judges as we should call them, although they would not be partisans in the view of hon.

Members opposite, it is certain that landlords will have to accept the prairie value or even less, and will not be protected if they refuse it. If the Government, knowing what they are doing, persist in the policy they have laid down, I say, in the words of Lord Spencer, they will be doing “a mean and treacherous thing.” Lord Spencer said, and said truly, that the landlords have been confirmed in their property by legislation, which to a large extent restricted their rights, and he said it would be a mean and treacherous thing to desert them. I do not say that is what the Government are going to do, but I say that would undoubtedly be done if this Bill passed in its present form. What is the answer to the case I have endeavoured to put before the House? The answer is a very remarkable one, and it was given to us by the Chief Secretary (Mr. J. Morley) on Friday night. He said that three years hence the Irish Legislature would have control of Irish land legislation, and that, under these circumstances, it would be anomalous to give them the power of legislation and to refuse to them the nomination of the Judges. I agree with that. I agree that it would be very anomalous; but am I to understand my right hon. Friend the Chief Secretary to declare the settled conviction and intention of the Government to hand over unsettled the Irish Land Question to the Irish Legislature three years hence? If they are not going to do that, the argument falls to the ground and is not of the slightest value. If the Government are going, in the course of the next three years, to legislate so as to bring about a final and definite settlement of the Land Question, and so that when the question devolves upon the Irish Legislature there will be no question to settle, there will be no anomaly. It will only be an anomalous thing if you are going to allow the Irish Parliament to legislate on an unsettled question. When the matter was raised before on a question asked by the noble Lord the Member for Middlesex (Lord G. Hamilton), the Prime Minister, without committing himself, rather led me to understand that the Government consider that an interval of three years is an interval that should be taken advantage of to settle the Irish Land Question in the Imperial Parliament. While refusing to

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say that he considered it no longer an obligation on the Imperial Government, he did not shut the door to an arrangement of that kind; but if the argument of the Chief Secretary is worth anything the door is to be shut. I do not know why the Land Question is to be reserved for three years; but after that short delay the vexed question of Irish land—the controversy between the Irish tenants and Irish landlords—is to be handed over to the Irish Legislature. I say that is in direct contradiction to everything that has been said by any Member of the Government who has dealt with the Land Question in Ireland. There is no one who has spoken more strongly on this matter than the Chief Secretary. He has used words that were even stronger than those I have quoted from the Prime Minister. He has said not “I will not be a party,” but—

“I will never be a party to placing on the Irish Legislature the burden of legislating on this question.”

MR. J. MORLEY: I have never contemplated such a state of things after the expiration of the three years. What steps we may take between now and that time is another matter.

MR. J. CHAMBERLAIN: I do not say that when we have finally settled the Irish Land Question there would not be details that would from time to time come under the cognisance of the Irish Legislature; but the policy my right hon. Friend has declared again and again has been that the question is practically and substantially to be settled before the Irish Legislature is called on to deal with it. There can be no doubt whatever as to the language of my right hon. Friend. Here is one quotation—taken from a speech delivered by him at Newcastle on 11th February, 1886—

“And the second thing about which I have never concealed my opinion and which Irish Liberal and Conservative friends, with uneasy minds, may fix in their minds is, that I, for one, will never be a party to placing the minority—the property of the minority—at the mercy of the majority, in case they might be inclined to deal lawlessly with it.”

Again, at Newcastle, addressing his constituents, my right hon. Friend said—

“I said, and I will always say, that I should be no party to having a new Irish Government when it is constituted with the burden of the present land system in Ireland on their

shoulders. We have no right to set up a Government in Ireland; we have no right to continue our Government in Ireland unless we are prepared to provide a great basis, a Conservative basis, in having as many occupiers and tillers of the soil as possible the owners of their own holdings.”

My right hon. Friend does not contend that that is the case now.

MR. J. MORLEY: The Leader of the Opposition brought forward a scheme to convert occupiers into owners.

MR. A. J. BALFOUR (Manchester, E.): Where did I ever state that that would be the effect of the Purchase Bill?

MR. J. MORLEY: The right hon. Gentleman said he was laying the basis of an operation which would transform occupiers into owners, and that that would furnish the only basis for a settlement of the Land Question.

MR. A. J. BALFOUR: If the right hon. Gentleman says that I meant by the Purchase Act to transform all occupiers into owners he misconstrues what I said.

MR. J. MORLEY: He said his Bill would only sanction an advance of £30,000,000, which would be a circulating fund; but he also said, I think, that a sum of £95,000,000 would probably suffice to transform all the occupiers into owners.

MR. A. J. BALFOUR: When is that going to take place?

MR. J. CHAMBERLAIN: I must press this further, because it goes to the root of the whole matter. The right hon. Gentleman does not deny that; he considers that a definite settlement of the Land Question is a necessary concomitant or precursor to the Home Rule Bill. Now, does the right hon. Gentleman mean that the late Government provided such a definite settlement? Does he contend that they finally settled the Land Question in the sense in which he used the words—

“I still think we are bound to attempt some definite settlement of the Land Question along with or immediately before the passing of Home Rule!”

Because either he does think so, or he does not. If he does think so, I must say he is mysteriously taciturn as to his opinions when the Home Rule Bill is before the House. Here was this settlement which he asserted it was the duty of statesmen to place in the front rank—



a settlement which was absolutely necessary to the welfare of Ireland—here was this final settlement before the House, and the right hon. Gentleman never had one word to say for it. He voted against it. He must have thought it an insufficient and thoroughly inadequate settlement. He never could have spoken strongly against it and voted against it unless to his mind it was altogether insufficient. Therefore, the final settlement has still to be made. Now, I ask my right hon. Friend in what way in this Bill the Government are preparing for the definite settlement which they pledged themselves to make before they contemplated conferring self-government on Ireland? Do the Government believe—I do not ask whether they believe that this House believes—that they are settling anything by the Home Rule Bill if they leave the Land Question unsettled? The House will have in its mind a most significant and interesting question asked to-day. My right hon. Friend was asked as to the facts in reference to a meeting he had stopped, and which was to have been held on an evicted farm. What were the facts? A meeting was announced to be held there in close propinquity to, or immediately upon an evicted farm where there were two caretakers. The meeting was announced, and its object was said to be to hold up to public condemnation the persons responsible for the eviction. Thereupon my right hon. Friend behaved as we should always expect him to behave. He at once sent down orders that the meeting should not be held, because if it had been held it might have had an intimidatory effect, and the caretakers might have been in peril, and possibly would have had to fly for their lives, or, at all events, would have been in considerable personal danger. Did hon. Members opposite (the Nationalist Members) approve of the action of the right hon. Gentleman? Did their action show any appreciation of the course he had taken? Not at all. They put hostile questions, criticising questions, objecting questions. Does my right hon. Friend believe that if these hon. Gentlemen had been a Central Government they would have forbidden that intimidatory meeting? Would they have protected the caretakers; would they have protected the property of the landlord? Yet it is to a

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rule of terror which questions of that kind suggest that the right hon. Gentleman, under this Bill, will hand over the landlords of Ireland. I do not stand here to defend the landlords of Ireland, any more than I would defend any person who, being accused, should demand a fair trial. But I say the Government are in a different position. They have defended the landlords of Ireland. Some of the principal Members of the Government have said—and I suppose truly—that if there are landlords in Ireland who have abused their powers, there are other landlords in Ireland against whom no such charge can be made, and that all of them are entitled to the ordinary protection of the law and of the Imperial Government. As I have said, it would be “a mean and treacherous thing to desert them,” and to hand them over to the tender mercies of hon. Gentlemen opposite. We are, in this Amendment, at the mere fringe of the subject. I hope, at some later period, the right hon. Gentleman the Chief Secretary will tell us how he means to settle this Land Question, which settlement he has declared to be necessary; but, in the meantime, I ask of the common fairness of the Government that at least they will not, in regard to this particular class of cases, hand them over to Courts that will be appointed by the enemies of one of the parties concerned.

MR. T. M. HEALY (Louth, N.): I think, Sir, it is a very graceful act of the right hon. Gentleman who has just sat down to make himself the spokesman and defender of those in Ireland who toil not, neither do they spin, and I must congratulate him on the abnegation and disinterestedness which he has displayed throughout his oration. He has asked the Government—especially the Member of the Government who has spoken and cannot speak again—a number of questions, and he has asked him how he proposes to settle this question. I would ask the right hon. Gentleman (Mr. J. Chamberlain), who, I am sure, will be heard again by the indulgence of the House, how this matter was to have been dealt with by that Central Board which he wrote to Mr. Duignan to offer to the Irish Members, and which was to have had entire control over the Irish Land Question? “I am prepared,” said the right hon. Member for West Birmingham



in his "ransom" and, no doubt, unregenerate days—

"I am prepared to hand over to a Central Board, to an Irish Authority, the entire management and settlement of the Irish Land Question."

free, of course, from the control of the Central Executive.

MR. J. CHAMBERLAIN: I never said it.

MR. T. M. HEALY: You wrote it.

MR. J. CHAMBERLAIN: I did not.

MR. T. M. HEALY: If you hand over the entire control, how much control do you keep?

MR. J. CHAMBERLAIN: I proposed to keep in my hands the Courts and the Judges.

MR. T. M. HEALY: The right hon. Gentleman did not, because there was no reference to that in Mr. Duignan's letter. He proposed to hand over the settlement of the Irish Land Question to the Irish Members—the entire control and settlement. How was it to be done? From that hour to the present the right hon. Gentleman has left us in entire darkness and ignorance as to his method of procedure. He says there is one thing that the Irish landlords are entitled to, and that is a fair trial, and he went over the various birthrights of British citizens in relation to trial by jury and in relation to various other trials. I wonder, Mr. Speaker, did he think in 1887 that the Irish Members were entitled to a fair trial when he handed them over for trial to the Resident Magistrates? Did he think they got a fair trial from these Resident Magistrates, appointed by a landlord Government, when 27 of them were put on the plank bed?

MR. BUTCHER (York): They were not appointed by landlords.

MR. T. M. HEALY: Was Lord Londonderry not a landlord? He was Her Majesty's Viceroy in 1887, and was he not a landlord? Why, he was not only a landlord, but a proved rack-renter. His cases were taken into Court and his rents were cut down, and am I to be told that he was the very person to appoint Magistrates who would insure Irish Members a fair trial? Sir, before the right hon. Gentleman the Member for West Birmingham got up in this House to give us his views how the Irish Sub-

Commissioners were appointed, he would have found that in a little volume called *Thom's Directory* he could get a great deal of information about Ireland. It so happens that of the three gentlemen who hold the post of Chief Land Commissioners in Ireland, not one of them was appointed by a Liberal Government, and every one was appointed by the right hon. Gentleman the Member for East Manchester (Mr. A. J. Balfour). Judge Bewley, Chief Land Commissioner, who is he? He is brother-in-law to Lord Ashbourne. How did he get his appointment? I do not challenge the appointment of Judge Bewley. I believe it was a good, fair appointment, and I believe Judge Bewley really is a gentleman who can be depended upon by both sides to give fair play between landlord and tenant; but, just as I do not deny that you may appoint fair men at times, I repudiate the idea that we have not as much fairness as you have. Take the second gentleman, Mr. Wrench. That was not a fair appointment. It was a most monstrous appointment. He is your supposed Lay Commissioner, a gentleman who was appointed simply for no other reason than because he had been the agent on Sir Thomas Lennard's estate and on the Brooke estate; and if anybody wants to know the kind of agent he was let him take up a reported case, where he harried and hunted out of his district Sub-Commissioner Crean, simply because he decided that free sale should exist upon the estate upon which Mr. Wrench was agent. He took that case to the Chief Commissioners. He took it to the Court of Appeal, and then, when the law was decided against him, he got Mr. Crean hunted out of his district. Then, look at the case against him in reference to the Clones market, for which he was denounced by your own Court of Appeal in connection with the crane and weight business in the town of Clones. These are your appointments. Who is the third gentleman. I do not impugn his action, although he was appointed by the Tory Government. I say Mr. Commissioner Fitzgerald is a most respectable man. He did, when County Court Judge for Longford or Meath, confirm very severe and terrible sentences under the Crimes Act; and, no doubt whatever, he was considered by the Tory Govern-

ment a very suitable person for the administration of the Coercion Act : but on the whole Mr. Commissioner Fitzgerald, in his action in the Court of the Irish Land Commission, has carried himself fairly and honourably, and I have no desire to attack him. These are three life appointments, not one of which can be considered or touched under the Home Rule Bill. Then I come to the Sub-Commissioners. What was the last act of the right hon. Gentleman the Member for East Manchester before going out of office ? Remember you had the appointment of the whole head Commission, who are appointed for life, in your own hands. Who are the Sub-Commissioners ? The right hon. Member for Birmingham (Mr. J. Chamberlain), from his own information, tells us that most of them were appointed by the Government of the right hon. Gentleman the Prime Minister. Well, here are the names of the 30 Sub-Commissioners, and as far as I can see—I do not say I am right to a man—but as far as my information goes, of these 30 Sub-Commissioners, 23 were appointed by the right hon. Member for East Manchester. And what was the last act of the right hon. Gentleman on going out of Office ? Up to that time these Sub-Commissioners were appointed from day to day. They practically had no more tenure than a day labourer. He made them permanent Civil servants of the Crown, and not one of these gentlemen can now be stirred by the Irish Government. But what is more, fair rent applications can also be dealt with by the County Court Judges in Ireland, and 14 out of the 22 County Court Judges were appointed by the late Tory Government. These all hold life appointments. All the Court valuers were appointed by the Tory Government—every man of them. Every Court valuer in Ireland has been appointed by the right hon. Member for East Manchester, and under the Land Purchase Act of 1891 every man of them is made a permanent Civil servant of the Crown. Sir, in regard to this large body of men—some 60 in all, and if I count valuers I should say it would be nearer 90, all life appointments—very little more than 10 per cent. are Liberal appointments, all the rest being the appointments of a Tory, an Orange, and a landlord Administration. What chance would an

Irish Government have supposing you put a Ribbon Lodge as the Executive Government of the country ? That is probably the strongest way of arguing it. Suppose you put a Ribbon Lodge as the Executive Government of the country, what chance, I would like to ask, in the course of the lifetime of any individuals here present, who, I suppose, are of an average age of 40 years, pretty much the same from an actuarial point of view as the County Court Judges and the Sub-Commissioners themselves—what chance would even a Ribbon Lodge have of affecting the great trend and tendency of the action of these Courts in Ireland ? But I come to another matter. Some of these Sub-Commissioners—one at least—was appointed by the hon. Member for South Tyrone (Mr. T. W. Russell). I believe the right hon. Gentleman the Member for East Manchester refused to make the hon. Member himself a Privy Councillor, for which I am extremely thankful to him ; but his brother-in-law, Mr. Patterson, was made a Sub-Commissioner. I believe Mr. Patterson is no longer a Commissioner, for reasons over which he had no control. I believe he is dead, but the hon. Member for South Tyrone has always taken a great interest in the Irish Land Question, and one of the subjects in which he has taken most interest was the case of the long leaseholders. It was said—the hon. Member boasted of it at any rate—that it was largely due to his initiative that the Government of the right hon. Gentleman the Member for East Manchester passed the Redemption of Rent Act. Now, Mr. Speaker, I should like to know what it is that these Sub-Commissioners can do ? They can fix a fair rent in Ireland. How does Lord Salisbury designate the fixing of a fair rent in Ireland under his own Statute passed by his own Government ? He described it as a species of torture. It is all right to have Lord Salisbury Prime Minister of England, who described the attempt on behalf of the poor miserable peasants class in Ireland to get fair play from the landlords, backed up by the bayonets of the British Government, as a species of torture ; it is all right for Lord Salisbury and his Government to have the giving of 60 or 70 of the appointments ; but when it is suggested that the “ Other Parties,” as they are called by the right

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hon. Member for West Birmingham, should have some say in the matter, then it becomes as sacrilegious, I was going to say, as the doctrine of "ransom." Lord Salisbury called the fixing of a fair rent a species of torture. I am sorry to say that, so far as the great body of the tenants are concerned, that is what it has proved; and who is my witness? The hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson), who declared in his place on Friday night that the English landlords had voluntarily given reductions of 15 to 20 per cent. larger than were screwed by process of law out of the Irish landlords. "But," says the right hon. Member for West Birmingham, "the Irish Members have all declared in favour of the prairie value." Sir, that phrase reached us *viâ* Birmingham. Who was its author? The lamented Mr. John Bright, who declared in our hearing in this House in 1881 that if the improvements of the Irish tenant were swept off the face of the soil, Ireland would become as bare and naked as the condition of the North American prairie. What is the position that we have taken up? The position is the position of the Land Act of 1881—namely, to give the Irish tenant the improvements he made in the soil, and to give the landlord the remainder. And what did your own Attorney General (Mr. Madden)—another of your Judges, because you had the appointment of most of them—what did he say in this House on the Bill of 1891? He said—

"If you take the interest of the Irish tenant in his holding and the interest of the Irish landlord at the present moment in consequence of his improvements, the Irish tenant now had an equal, if not a greater, interest in the soil than the landlord."

I call another witness, one of your own friends too, Lord Cowper. Take the Cowper Commission. When Lord Cowper was challenged—I think it was by another Lord Lieutenant, Lord Londonderry; or was it by the Duke of Argyll, another of your sacred witnesses? He was challenged in the House of Lords on the unfairness of the Cowper Commission Report; and having had 12 months to consider his position, instead of his having been challenged by the Lords—by the Irish rack-renters in that place—Lord Cowper laid down his refusal to recede by one jot or tittle from the

position he took up in the Report, and, if my memory serves me, said that improvements to the extent of £100,000,000—I think he said hundreds of millions—had been made in the soil of Ireland by the Irish tenants. I am sorry, Sir, to have to say that under the presidency of Lord Ashbourne in the Irish Court of Appeal—whose appointment was the most monstrous and shocking that even a Tory Government ever made to the position of Lord Chancellor—if the 300,000 Irish tenants who have got fair rents fixed under the Land Act of 1881 had to go into Court in the morning, so tight has the garotte of legal decision become that 50 per cent. of these men would be held disentitled to the fixing of a fair rent, and I believe, indeed, that under the influence of legal decision something like 400,000 Irish tenants have been excluded from the operations of the Land Act of 1881. I will give the House an instance of this class of decision. I think it is a monstrous decision, and it was given under your own Government—the Government of angels—which has been in power in Ireland for 700 years, and what have you made of it? What have you made of the Irish? Whatever we are, we are your handiwork. Instead of giving us Universities and Colleges you gave us the plank bed and the convict cell. What are these decisions? I quote a decision as recent as only a few weeks ago, delivered at Enniscorthy. By whom? By one of your Land Commissioners, Mr. De la Poer Trench, brother to Lord Clancarty. What was his decision? His decision was this. The tenant went into Court to get a fair rent fixed. He was equipped with every attribute that entitled him thereto. When the landlord pulled out a deed of settlement whereby his father had settled the lands for life on himself with remainder to the eldest son, and, says he, I am the eldest son, and the remainder man of the estate cannot be held responsible for a tenancy created by a tenant for life. I challenge question on this point—that in view of recent decisions, if the tenants had to go into Court again, instead of 300,000 Irish tenants getting the benefit of the land legislation, not 30,000 would get it. What have been your decisions as to haying? Why, we all thought, in consequence of

one case dealt with at an early stage by the House of Lords, that where a tenant sold the hay off his farm he shall not be held a tenant for the purposes of pasture. One of the Courts of Appeal has decided the reverse. The decision is that if you have a lease of, say, 200 acres of land, and there is a provision in the lease that the landlord may take up one acre of that 200 for a cottage or something of that kind, then the lease is held to make it only a letting for temporary convenience. The decisions, I venture to say, are such—and I challenge anybody to deny it—that if these tenants were to go into Court again the Land Act would be practically closed against them. What, then, is the argument? That you having loaded the dice, you having appointed 60 out of the 70 gentlemen who are to administer these Land Acts, that, so far as our lives are concerned, we are to be stopped from having the appointment of any single man to administer them at all. Who is to appoint them? The right hon. Member for West Birmingham did not tell us, but I presume it would be the Imperial Government. The Imperial Government for half time, at any rate, will be the Tory Party. They will come in for half the spoils—the Tory Party, who are the landlord party of Lord Clanricarde, the party of Lord Londonderry, the party whose chief was not ashamed the other day to repudiate the act of his own nephew and of his own Ministers. Lord Salisbury tells us that the Act which gave the long leaseholders the right to go into Court and get a fair rent fixed unless the landlord consents to be bought out is a most objectionable provision, which never should have been placed on the Statute Book. He did not know how it escaped his notice. I wonder how it escaped his notice too. Sometimes people thank God they have a House of Lords, and yet the House of Lords and the Prime Minister of the country let this most objectionable Act, this species of torture, this terrible piece of robbery—the act of his nephew, too, above all persons—be placed upon the Statute Book of England. But, Mr. Speaker, if we were in an Irish Parliament, and if the Irish Premier of the day was to make some remark of that kind in regard to some little Irish measure that had passed, and to denounce it as an act of robbery, an act of torture, a

most objectionable measure, a measure depriving landlords of right or title to the soil, I should like to know what would be the criticism on the Hibernicism, what twitting would go on in this House, what holding of the sides in laughter by gentlemen in the position of the right hon. Member for West Birmingham at those extraordinary Irish Members who denounce their own Bills, and who declare that they are not responsible for the acts of Members of their own Administration? Do not you think that Irishmen, at any rate, ought to have as much common sense in dealing with this question of Land Purchase or with the Redemption of Rent Act as Lord Salisbury? There is this to be said, at all events. The Irish Members are not tenants. We are not Irish tenants. I am not an Irish tenant. I never had as much land, and never will have as much land, as would sod a lark. And am I not in as disinterested a position as Lord Salisbury or Lord Clanricarde? Am I not as disinterested as Lord Londonderry? Am I not as disinterested as the hon. Member for Mid Antrim, who spent his nights and his days trying to block this most objectionable species of torture in 1891? We own no land, and I would venture to say this—that the man who owns no land at all, at any rate, is as likely to give equal and indifferent justice between two contending parties as the landlord who is one party to the transaction. Sir, the Irish Members, the Irish Party, and their constituents, desire in this transaction between landlord and tenant nothing but the bare letter of the statute law; we desire nothing but what the Land Act of 1881 gave us—namely, that no rent shall be allowed or made payable upon the improvements made by the tenant or his predecessors in title. If that is prairie value, we are in favour of prairie value. If that is not prairie value, we are not in favour of prairie value. We want our own and no more. Keep you what is yours. You have got in the soil a certain title, so have we. We do not go into the question how you got that title. There you are for better or worse. We represent the immemorial tenants of the soil, and ask for nothing except that what our people have made by their sweat and their toil and their labour and that of their forefathers for centuries should be theirs; and I would venture to say

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that at this time of day it is not a demand which the Imperial Parliament, as at present constituted, would refuse to us.

MR. D. PLUNKET (Dublin University): I shall not ask the leave of the House to follow the hon. and learned Gentleman who has just sat down through all the points of his speech, because, in my humble judgment, many of them had nothing whatever to do with the Amendment. I may say generally that the greater portion of the vehement harangue was an illustration of what the hon. and learned Gentleman is an extremely good hand at—namely, what I would call picturesque invective, which we have often had the interesting opportunity of listening to before. It cannot be said, on the whole, that those who have been attacked by the hon. and learned Gentleman have come badly out of his hands in comparison with many whom he has assailed before. The hon. and learned Member commenced by referring to the three Chief Land Commissioners. With the Judicial Commissioner, whose position is the most important of all, the hon. and learned Gentleman has no fault whatever to find, except that he was some relation or other to some gentleman who has taken a prominent part in politics. Judge Bewley was, he said, in some way connected with Lord Ashbourne; but, notwithstanding that relationship, he has admitted, as every man in Ireland must admit, that there could not be found in any part of the United Kingdom a more learned, able, and impartial Judge. As to the third of the Chief Commissioners, Mr. Fitzgerald, with him, I think, the hon. and learned Gentleman had no substantial fault to find. I may mention that Mr. Fitzgerald's worth for the position he now occupies is justified by the fact that he had been previously appointed a County Court Judge by the Government of the right hon. Gentleman opposite. Upon the head of Mr. Wrench, however, the full vials of the wrath of the hon. and learned Member fell. But what was the worst that the hon. and learned Gentleman could say of Mr. Wrench? Nothing at all as to the administration of his present office, but that he had prosecuted a gentleman called Crean, which had resulted in placing that gentleman in a very comfortable position. The hon. and learned Gentleman then passed on to the

Sub-Commissioners, and said that the vast majority of them had been appointed by the Tory Government. I do not believe that the hon. and learned Gentleman is correct in that statement; but, by whatever Government they may have been made, why were not those appointments challenged in this House if they were wrong?

MR. T. M. HEALY: Because you took their salaries off the Votes and put them on the Consolidated Fund.

MR. D. PLUNKET: Neither the salaries of the Land Commissioners nor the salaries of the Assistant Commissioners are so placed on the Consolidated Fund. We contend for that very thing—that this Assembly here, where both sides of the question can be fairly heard and impartially tried, should have control of these appointments, so that justice should be done. You call them Tory appointments. I deny that you have any right to say that Tory appointments are necessarily unjust and unfair appointments. But they have never been challenged, and what we ask in this clause is that the power of challenging them, if they are unjust, should be reserved to this House. The substance of this part of the hon. Gentleman's speech is that every one of the Sub-Commissioners is saddled upon the country for a length of time. As a matter of fact, every one of these Assistant Commissioners and Land Valuers can be called upon, if this Bill is passed, to retire from their positions. But, passing from the speech of the hon. and learned Gentleman, I venture to submit to the House, in no heat or passion, a very serious matter which concerns a large class in Ireland who have few Representatives in this House, and who, worse luck for them, can command but few votes for Representatives in this House—a class to whom, under this Bill, it is proposed to give the most heartless and shabbiest treatment of any class affected by the measure. What is the position of the landowners in Ireland? I speak not only for the unfortunate landowners, but for their families, for the family charges upon their estates, for the mortgagees, numbers of whom, living in England and Scotland, have the greater part of their fortunes vested in Irish land. If it be the fact that the Irish landlords are in danger of being unjustly dealt with by

the process of rent-fixing which will be set up under this Bill, all these other people have some claim also to the fair, and frank, and impartial consideration of this House. How does the case stand at the present moment? The amount the Irish landlords now receive in the way of rents is £10,000,000 a year, which is a very small sum as compared with the rental of England or of Scotland. At present, after the Land Act of 1881 has been in operation for some 12 years, and when every tenant in Ireland has had an opportunity of going into the Courts established by that Act to have a fair rent fixed, the sum at which the rental of the Irish landlords is settled is £10,000,000. Of course, if the positions of the Sub-Commissioners were held by men who agree with the principles adopted by the Nationalist Party as regards the land, very probably that £10,000,000 would have been further reduced by 30, 50, or 80 per cent. It must not be supposed that I am stating an exaggerated figure simply on my own account, because if the Members of the Nationalist Party are actuated now by the same views as they held in the time of Mr. Parnell and the Land League, and had the power in their hands, I have high authority for saying that the reduction would have been much greater than it was. I remember the Prime Minister in 1881—when the right hon. Gentleman was in close and sharp conflict with Mr. Parnell—describing the doctrine of the Land League as a doctrine of public plunder, and saying that the proposal was to reduce a rental of £17,000,000 to between £2,000,000 and £3,000,000. Will hon. Gentlemen below the Gangway denounce the principles then laid down by the late Mr. Parnell, and rightly denounced by the Prime Minister as the doctrine of public plunder? By the constitution of the Land Commission the Commissioners have to deal with the most delicate and intricate questions of both law and equity; and it is of the highest importance that men of judicial experience, as well as of ability and impartiality, should be selected for the positions. The Sub-Commissioners have practically in their hands the decisions in regard to the rent which the landowner shall get, and the price he shall receive for the sale of his land. It may be said there is the power

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of appeal; but, in reality, that appeal affords no protection, because, after all, the Head Commissioners can only see these farms through the eyes of the Assistant Commissioners and Land Valuers; and though it may be true that the Head Commissioners can hold on to their offices, there is no doubt that the Sub-Commissioners may be dismissed the day after the Bill has passed into law. In point of fact, these Sub-Commissioners will be "removables" in a truer sense than the Resident Magistrates. The Irish Executive will have the power at any time of dismissing them. I maintain that the basis of the Act of 1881 was the perfect impartiality of the tribunal which was to decide the questions of rent and sale. It was made a cardinal condition at the time that the men who were to apply the Act should be men of unquestioned impartiality. I remember very well that, as the Bill was passing through this House, appeals were made for compensation for those landlords who might suffer under the operation of the Act; and even many of the supporters of the Prime Minister at the time urged on him to consider the propriety of affording compensation to such landlords. Sir Walter Barttelot proposed an Amendment to give to landlords who considered they might be very injuriously affected by the operation of the Act the power of selling their estates to a Commission appointed for the purpose. The Prime Minister resisted the Motion, and said—

"The judicial rents can only be fixed on the statutory terms, and can only be established according to the judgment of a dispassionate and impartial body, who shall have to decide between man and man according to the facts proved before them."

But can any man, knowing the principles which hon. Members below the Gangway had over and over again declared in regard to the land, honestly believe that if the Bill passes, and the appointment of the Land Commissioners is in the hands of the Irish Legislature, the Land Commission will stand as an impartial, just, and fair-minded tribunal between the landlords and tenants of Ireland? I will not call up the sayings of hon. Gentlemen below the Gangway. The Chief Secretary said that this language was used when the movement was commenced, which is now drawing

to a close. I entirely agree that when the movement was commenced the minds of men were greatly excited. But what first gave abiding force to the Home Rule movement were the promises held out to the tenant farmers, who could not otherwise be induced to take a substantial interest in the matter of prairie value for the land, and the abolition of landlordism altogether. These promises have been the force which has carried on the movement to the present day, and are, indeed, the meaning of the solid support given in Ireland to a Bill which, in many other respects, is unsatisfactory to the Nationalist Party. There can be no doubt about it. What is the use of arguing whether or not we ought to give £500,000 to the Irish Government to enable them to carry on their business, when by no Act of Parliament at all, but by the appointment of Sub-Commissioners, they will have the power of dealing at one sweep with £10,000,000 a year. Ever since the Act of 1881 has been passed, there have been complaints on the part of the landlords and on the part of tenants; but both parties always relied on recovering in this House justice, and a fair hearing of their complaints. But can the same trust be reposed in the Irish Legislature? In accordance with the propositions they again and again laid down, the Nationalist Members, if they are in power, will be bound to make efforts to reduce rents in a way that would never be tolerated in this House, and the landlords of Ireland will have no protection against injustice and wrong any more in the Legislative Council than in the Legislative Assembly, for, so far as the Legislative Council is concerned, 70 to 80 per cent. of the electors will be tenant farmers waiting for the redemption of the promises made to them. That is the main ground on which I claim that the appointment of the Land Commissioners and Sub-Commissioners should be retained by the Imperial Parliament as a guarantee of justice and impartiality to all classes. The Chief Secretary said a proposal to restrict the appointment of Sub-Commissioners to this House for three years, while the House retains control of the Land Question, might be the subject of argument; but he thought it absurd to continue the appointment of Sub-Commissioners to this House after

the power of dealing with the land had passed to the Irish Legislature. The right hon. Gentleman, when challenged upon the point, said that these rights—so I understood him—would be protected under the provisions of Clause 4 of this Bill. Well, Sir, I cannot help thinking that that is wholly illusory. But that does not affect the question before us now, because, without the Irish Legislature having the question before them at all, appointments could be made by the Executive, and the trick would be done. Well, now, turning to the Land Purchase Act of 1891, the operation of that Act, wherever—in every part of Ireland—the Nationalists have power, has been paralysed since its introduction by the hopes held out to the people of the better things that would be obtained under an Irish Legislature. I will just quote one sentence from a gentleman who has great influence over the farmers of Ireland. Mr. Davitt said, in August, 1887, that he wanted to warn the tenantry of Ireland against any plan of settlement introduced by the Imperial Parliament as certain to be in favour of the landlords; that the 20 per cent. reduction then granted would be no permanent relief to Irish industry, but would, 10 years hence, be a burden; and that the farmers would be false to themselves if they trusted to anybody but the Irish nation, represented in a National Parliament in Dublin. If that is the advice to which the Irish farmers attach importance, surely we will only be giving it ten-fold force by entrusting not only to an Irish Legislature the power to treat of the relations between landlord and tenant, and also to the Irish Executive the appointment of these Commissioners. I must not pursue this subject further. It is outside the limits of the argument which I venture to submit to the House as to how the landlords would be affected by the Irish Executive of the future. We were told in 1886 that these men were entitled to the greatest consideration; we were told in 1886 that the history of Ireland had imposed upon the English people a duty—that they were in honour bound to the English garrison, as they were called, in Ireland. They relied upon England, and England relied upon them; and I ask any impartial man is it fair—is it justice—to the class thus described to hand them

over to the Legislature and Executive it is now proposed to set up? If you do, then I say history will think in regard to the English people that they were persuaded by the eloquence and personal character of one great Minister to depart from and repudiate those claims of honour and justice which he himself so eloquently defended.

\*MR. LOUGH (Islington, W.) said, there was one characteristic of the arguments from the Unionist side which struck him very forcibly, and that was that the speakers devoted themselves to dealing with the Irish Parliament, and what it would do when it was formed. All this, however, must be based upon surmise and prophecy. For his part, he preferred to deal with the object set forth in the clause before the House, and to see how this Parliament had administered the Land Act. It was comparatively easy to examine the Land Act of 1881 and its administration. If they got before their eyes a picture of the Chief Lay Commissioner they had an idea of the spirit that animated the whole administration. The appointment of one showed them the character of all the appointments. The Legal Commissioner only dealt with points of law. It was not necessary to introduce Party, for the appointments of the Liberals had been as bad as those of the Tories, nor to enter into any personal question or to name any of the Judges. It was only necessary to consider the class of man who was appointed as Chief Commissioner. But before doing this let us inquire what was the duty cast upon the Courts? It was to arbitrate in disputes between landlords and tenants: 288,000 rents had been fixed, affecting 1,500,000 of the agricultural population of Ireland, and relating to some £5,000,000 of rent; and it was to be remembered that the other half of the population were indirectly affected by the decisions arrived at. And who were the men appointed to this duty? They were simply land agents. The occupation of such agents was to get as much rent as they could out of land. If he were inclined to press the point, he should describe them as sweaters of the Irish people. And they were not only employed in this way on their own behalf, but often had made loans of money which practically gave them a proprietorship of

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other lands. These were the class of men appointed as Chief Commissioners. What were the results of these appointments? The results had been referred to by the hon. and gallant Member for North Armagh (Colonel Saunderson). He did not wish to say anything regarding the hon. and gallant Member, since he was not in his place; but he would tell the House that the first Chief Commissioner appointed was the hon. and gallant Member's own agent for many years, and when he became Commissioner his son became agent in succession to him. The gentleman so appointed would have been more than human if he did not remember his old connection with the estates, and that in dealing with the cases brought before him, in making reductions for every £1 he took off he would be taking 1s. or 2s. per annum out of his own son's pocket.

MR. MACARTNEY (Antrim, S.) wished to ask the hon. Member when had the late Mr. Vernon, to whom he alluded, dealt with cases from that estate?

MR. LOUGH said, he was born on the estate, and knew all about the facts. The gentleman referred to was appointed agent in 1854; he was made a Commissioner in 1881; and his son succeeded him in the agency—

MR. MACARTNEY said, his question was when Mr. Vernon ever revised the rents on this estate?

MR. LOUGH said, he could only say that as Chief Commissioner he had the power of dealing with them on appeal. He was not a lawyer, and he might be wrong. [*Cries of "Quite right!" and "Order!"*] That, at least, was his impression. The hon. and gallant Member for North Armagh had stated that the reductions in Ireland were 15 per cent. less than were given willingly by English landlords. That was a very remarkable admission coming from the hon. Member, and how far this result might have been achieved by the character of these appointments he left the House to judge. He wished, however, to take a wider view of the question. There could be no doubt that the Land Act of 1881 had been administered in the landlord interest. The total reduction was practically as stated—20 per cent.; and if the rents in England were reduced 35 per cent., 50 per cent. would have



been a fairer reduction in Ireland, and that was the reason that so much dissatisfaction had been expressed in this House and in the country. The reductions were so unsatisfactory that an amending Act was brought in in 1887 by the right hon. Gentleman the Member for East Manchester (Mr. A. J. Balfour) giving a further reduction of from 5 to 10 per cent. on the judicial rents.

MR. A. J. BALFOUR: That is not a correct account of the Act of 1887.

MR. LOUGH said, he thought it was.

MR. A. J. BALFOUR said, it was not, for, as a matter of fact, in some cases there was an increase of rent.

MR. LOUGH said, such cases were very few. He thought the right hon. Gentleman would find that the effect of the Act was to reduce the rents all round from 5 to 10 per cent. As such a large proportion of the people had been affected directly by the Act, he thought that it would not be unfair to trace any great movements which had affected the Irish populations during the period to the operation of these Acts. The first movement he observed was that the rate of decrease in the population had been doubled. This decrease was only 4 per cent. from 1871 to 1881; from 1881 to 1891 it increased to 9 per cent. Then with regard to pauperism; in 1876, with a population of 5,250,000, there were 250,000 people relieved; whereas, in 1888, during the administration of the Act of 1881 and the Act of 1887, with a population of 5,000,000, pauperism stood at 525,000—a proportion of 11 per cent. of the inhabitants. Then the administration of these Acts had been extremely costly. It cost more than £100,000 per annum, and it had brought a crowd of lawyers into the country towns which they could very well have done without. All this was to reduce the rents to Griffith's valuation; and that result might have been effected by a stroke of the pen, instead of the institution of this elaborate Commission with all its machinery. The greatest blot upon the Act was the sense of wrong produced in the minds of the people. The poor Irish farmer was brought into the Land Court to get his case fairly considered, and looking at the Bench he saw there sitting as his judge

the very man against whose oppression he had come to appeal. [*Cries of "Name!"*]

MR. ROSS: Name one.

MR. LOUGH said, he could name gentlemen if he liked. He would give the names to the hon. Gentleman privately if he wished for them.

MR. ROSS: Name one.

MR. LOUGH said, the next question to which he asked their attention was—Did this pay the landlord? Only a reduction of 20 per cent. had been made. He considered it would have paid the landlord better if it had been 50 per cent. The landlord did not collect the judicial rents any easier than he did the old rents. There was still the six months' gale, and the Rent Office expenses were the same as before. It was now a recognised principle in many estates to make a regular reduction of these rents. Indeed, the net result was simply to re-establish the old rack-rents under another name. That was very unfortunate for the landlord; and if the Judges had acted in a different spirit, granting an adequate abatement, it would have been better for him now. They had got a standard in Ireland that enabled them to estimate the fairness or unfairness of rents since 1870. Since that year sales of land on a large scale had been taking place in Ireland, and it was possible to estimate the fairness or unfairness of the annual rent by the number of years' purchase that was given for the land. If the annual rent was high, the purchase would be low; while if the annual rent was low, the number of years of purchase given would be high. In 1870 to 1876 land sold at 22½ years' purchase; in 1876 to 1880 at 22½ years—that was under the old rents. Under the judicial rents land purchase recommenced in 1886, and in that year they had 18 years' purchase, the average price all over Ireland; in 1887, 17½ years'; in 1888, 17 years'; and in 1889, 16½ years'. And during the last 15 months still lower prices ruled. In Munster, to March, 1893, the rate was 15½ years'; Leinster, 16 years'; Connaught, 13 years'. That covered the whole country except part of Ulster. In these three Provinces the average that could now be obtained for these judicial rents was only 15 years' purchase. He thought that if large sales were pressed they could not be effected at more than

14 years' purchase; perhaps the rate would even be only 12 years. So that they found that the landlords had created for themselves a very bad market—a worse one than they would have had to face had the Judges acted differently. He took a single case as an illustration. Suppose a farm, of which the judicial rent would be £25; the reduction of 20 per cent. would make it £20; this, at 14 years' purchase, would be £280. Now if, instead of the reduction to £20 this rent had been reduced to £12 10s., and that £12 10s. had been sold at 24 years' purchase, the farm would realise £300. He thought he had stated the case fairly, and shown that, by the course they had taken, the landlords had depressed the buyers and spoilt the market. They had made land almost unsaleable the very moment when they themselves wanted to sell. He was anxious, before sitting down, to refer to a point made by the hon. and learned Member for Dublin University (Mr. Carson) the other night, as to the position of the English taxpayer. The hon. and learned Member's view seemed to him an extremely curious one. The learned Member wished to show that it was in the interest of the English taxpayer for the tenant to pay, and the landlord to receive, a high price for the land. But surely if the English taxpayer had only the security of the land for his money, the more cheaply the land was bought the better. Again, there were only a few landlords, and they would disappear; but the Irish tenant must remain; and if his condition was improved, he would be a larger consumer of English goods, so that the British taxpayer would make a larger profit from him. The interests, therefore, of the British taxpayer did not coincide with those of the Irish landlord, but of the tenant. He thought, in these circumstances, they would be justified in rejecting the clause. The matter might be left to the Irish Legislature. It could not, even if it administered these Acts in favour of the tenants, do worse than had been done by this Legislature. It would then only bring the question to a just balance, for this Legislature's administration had been in favour of the landlord. His opinion was that the Irish Legislature would be warned by the unfortunate experience of this House and avoid prejudice in favour of one side or

*Mr. Lough*

the other, and that it would be their effort to insure for the law a fair and impartial administration.

Mr. ROSS (Londonderry) said, the hon. Gentleman who had just sat down appeared to be fond of statistics; but he could not regard otherwise than as extraordinary the results he had adduced from the statistics he had quoted. He could not help expressing his astonishment that the hon. Gentleman should have proceeded to make an attack upon a gentleman of the standing of the late Mr. John E. Vernon—a man of such high character that his appointment to a Chief Commissionership was universally accepted. The hon. Gentleman spoke of Mr. Vernon as a land agent, and said he tried to get as much rent as possible out of the people—he went further, and called him a sweater.

Mr. LOUGH said, he did not use the word "sweater" in regard to Mr. Vernon, and he said nothing whatever about his character.

Mr. ROSS said, the hon. Member would surely not deny that he was dealing with Mr. Vernon as a land agent, and that he described a land agent as a person whose duty it was to get as much rent as possible, and as a person who was a sweater.

Mr. LOUGH said, he did not use the word in that connection. He used it with some restraint before he referred to the case of the hon. and gallant Member for Armagh (Colonel Saunderson) or to Mr. Vernon. He said Mr. Vernon was the first Chief Commissioner.

Mr. ROSS said, he did not know what the hon. Member meant by talking of a sweater with some restraint; but he did say that the word was used by the hon. Member in describing the late Mr. Vernon, when he was speaking of him as the late agent of his hon. and gallant Friend. The hon. Member went on to make the further charge that Mr. Vernon's son succeeded him in the agency; and that, in dealing with rents, Mr. Vernon acted upon the principle that he might be taking so much out of the pocket of his son. The fact was, however, admitted that Mr. Vernon never fixed any rents on this estate. The hon. Member said he was born on the estate; but what right had he to make that insinuation against a man who was dead, and who had enjoyed the confidence of

the Prime Minister—[Mr. W. E. GLADSTONE signified assent]—a man who was appointed to his office in the middle of a burning agitation, and who, in such circumstances, was chosen to be at the head of this inquiry into that great question in Ireland? The hon. Member might accuse Mr. Vernon; but he could not bring forward any evidence to sustain his accusation. He noticed that when the hon. Member was going to make some astounding and preposterous statement he always prefaced it by saying, "It would be generally admitted." In accordance with this practice, he said it would be generally admitted that the Land Acts were administered solely in the interests of the landlords. He (Mr. Ross) thought he remembered such a body—meeting continuously—as the Waterford Commission, which attacked the Sub-Commissioners, and said the landlords were being robbed by the method of fixing the fair rents under the Land Act of 1881. The hon. Member, to prove that rents were unfairly fixed in 1881, said—"You yourselves had to pass an Act of Parliament in 1887, under which you reduced all rents." Of all the absurd statements of the hon. Member this was about the most absurd. What happened in 1887? There had been a certain fall in the price of some commodities and a rise in others; and, inasmuch as the rents had been fixed at a time when these commodities were at a different price, an Act of Parliament was passed which worked upon a sliding scale in respect of the rents fixed in the several years, the effect of which was to raise the rents in some cases and lower them in others. He quite admitted that the general result all round was to lower the rents. But what became of the hon. Gentleman's argument? Was the procedure under the Act of 1887 any admission that the rents were fixed in 1881 too high? Not at all, because the whole ground of the Act of 1887 was that a serious and unprecedented depreciation in the value of some commodities had occurred. The hon. Member said that the poor tenant, on being brought into Court, found himself face to face with his greatest enemy—meaning his landlord. He called upon the hon. Member for names, and he said that these charges should not be made unless they could be substantiated. The

hon. Gentleman, by dealing in his own peculiar and unique manner with statistics, proceeded to show that rents were fixed a great deal too high, and he said that if landlords had only accepted less rents they would have got more of them.

MR. LOUGH: More years' purchase.

MR. ROSS: Very well. How did the hon. Member show this? He said that some years ago the landlords' interest in land sold for 25 years' purchase, but lately it had only sold for 16½ and 13½ years' purchase. He could tell the hon. Member that land had sold for very much less even than that. But how was that a test? These latter sales took place when the whole of the landlords' interest was in peril; it was at that stage of the agitation when landlords in the South of Ireland were glad to get rid of their land almost at any price, in face of the threats which had been held out by the Irish Nationalist Members as to what they would do when they got Home Rule. The hon. Member for North Louth (Mr. T. M. Healy) was, unfortunately, not in his place. He always noticed when that hon. Member had a particularly bad case he proceeded to his favourite weapon of personal abuse. Personal abuse was a weapon within the meanest capacity, and was not worthy the hon. Member for North Louth. But what had that got to do with the question? No matter what subject might be before the House, the hon. Member must have his customary fling at Lord Ashbourne and his familiar kick at Lord Londonderry. What on earth had that got to do with the admittedly serious question before the House? They (the Opposition) said that this clause was a very real test as to whether all sense of fair play and justice had left that House or not, because if it had been stated a few years ago that the Land League were to be the people to appoint the Sub-Commissioners the whole of the civilised world would have laughed. But that was the very thing that was seriously proposed now by the Bill as it stood. If in 1879 or 1880 anybody had suggested that the Land League should appoint the Sub-Commissioners, the Prime Minister would have said that such a proposal was insane, yet that was the very thing the right hon. Gentleman was

now doing. He failed altogether to understand the position taken up by the Government on this question. They had admitted, by their retaining the Irish Land Question for the next three years, that the Irish Legislature were not to be trusted with the Land Question, otherwise what was the meaning of the reservation? Did it not mean that the Members who would compose this Irish Legislature had been mixed up in this matter too much to be trusted to deal with the question at all? If the Government admitted they were not to be allowed to deal with the question directly, why did they give them permission to deal with it indirectly? They admitted there was a duty and responsibility upon them. What was the measure of that duty and responsibility? He took the words of the Prime Minister. On the subject of the Irish landlords who had been so much abused that day, it was well to recollect some words from one whom they would all respect. The right hon. Gentleman, in 1886, described this as an obligation of honour and of policy, and then said—

"I have the honour of knowing myself many Irish landlords who are an honour to the class to which they belong. I hope that what I have said will show that in quoting the mournful testimony of history I do not seek to make them personally responsible for difficulties and for evils of which they are the victims rather than the cause."

Then he went on to say—

"It would be like giving over to Ireland the worst part of her feuds, and confronting her with the necessity for efforts which would possibly be hopeless, but which, at any rate, would be attended with the most fearful risks. . . . I have shown you how terrible the subject of the land is in itself. . . . Why is Great Britain to be cumbered with this subject? Are we bound to cumber ourselves with it? Is it an obligation of policy, and a dictate of honour? I am satisfied that the House, however reluctant—it cannot be more reluctant than we are—if it be an obligation of policy, if it be a dictate of honour, and still more if it be partly the one and partly the other, will not shrink from any duty which these considerations may entail. . . . But I must point out that the obligation on our part has been admitted already. . . . I may name another consideration, which is not one of honour but of prudence."

That was the measure of the obligation and duty admitted in those eloquent words by the Prime Minister. Had that obligation passed away? Had that duty become lessened? Then, into whose hands was the right hon. Gentleman

*Mr. Ross*

putting this all-important power of fixing fair rents? He would not go back to speeches made by hon. Members below the Gangway very long ago, though he was far from admitting that the Chief Secretary's answer was a good one when he said that these speeches were made under a real grievance, and that they were speeches of men made in time of excitement. The excitement and fever had lasted an extraordinary time. It was a chronic fever, which would last to the very end of time. The language he would quote showed the purpose and views of hon. Members below the Gangway. He would take the language of one who always expressed himself with great ability and clearness. The hon. Member for North Kerry (Mr. Sexton), speaking on March 8, 1893, said—

"I submit to you also that if the Irish landlords know that at the end of three years the Irish Legislature will have power to make a law upon the land, the effect upon their conduct will be important if not conclusive, for there is no way for a landlord to get out of his position except by the sale of his lands to his tenants, and to no other persons, for no other persons will buy it. In that condition of things I think the prospect of legislation at the end of three years will induce the Irish landlords to be probably reasonable, possibly even liberal. Moreover, within that period of three years it is extremely likely that the prospect immediately before them will induce many Irish landlords to sell to their tenants upon reasonable terms."

What did the hon. Member mean by "the prospect immediately before them"? Surely to any man of reason that must mean the prospect of confiscation, the proposal of losing all their interest in their land.

MR. SEXTON (Kerry, N.): The hon. Gentleman must not hold me responsible for his imagination. I had before me when I made that speech the fact that the tenant-farmers of Ulster generally desired compulsory purchase, and I notice that no Ulster rural Member has as yet spoken in this Debate. The tenant-farmers, as I have said, desired compulsory purchase, and I had in view the fact that any prospect of passing an Act for the compulsory purchase of land might induce the landlords within these three years to make voluntary transactions.

MR. ROSS thought that the persons who attended that meeting would naturally arrive at the conclusion that the landlord's interest was disappearing. What



was making it disappear? The setting up of Home Rule in Ireland; and although he, of course, accepted what the hon. Member said was his meaning, still he thought most of the persons who heard the hon. Member's speech would think the prospect immediately before them was the annihilation of the landlord's interest. [Mr. SEXTON: No, no!] However, he had not to depend merely upon the words of the hon. Member for North Kerry, who always spoke in a very guarded and accurate manner. But there were many more who had spoken. He would quote from a speech of the late Mr. Harris, Member for East Galway, delivered in the year 1877. He said—

"I am not going to indulge in a No-Rent Manifesto. That was put to the people before, and if they had adhered to that great programme, there would be no landlords in Ireland to-day; but they had not the courage to do that. But we put a programme before you that will lead to that result, that will first take one slice, and then a second, and we will keep slicing at it until nothing remains."

Then there was the hon. Member for East Mayo (Mr. Dillon), who in the year 1880 said—

"With 300,000 Irishmen enrolled as members of the Land League, all the armies of England would not levy rent in this country."

That was the hon. Member's description of the policy of the Land League. He was afraid the hon. Member for East Mayo had not withdrawn from the position he had there taken up, because in a speech reported in *The Freeman's Journal* of 8th August, 1893, the hon. Member said—

"Landlordism still in Mayo is a force for evil, and believe me I speak of what I know when I say that if the idea spreads for a single moment that the people were going to turn their backs on the principles of the old Land League that, bad as landlordism is to-day, it would be twenty times worse if you were to weaken the power of national organisation."

["Hear, hear!"] The sentiment was cheered by hon. Members below the Gangway. That showed that not only did the hon. Member for East Mayo continue strong in the faith, but all his followers below the Gangway heartily agreed with him. They were told by the hon. Member for North Louth that he was quite as impartial as any of them, and that he might be relied upon to appoint Sub-Commissioners who would hold the scales fairly between the landlord and tenant. The hon. Member for North Louth, in the year 1882, said—

"We believe that landlordism is the prop of English rule, and we are working to take that prop away."

Later on he said—

"... We wish to get rid of British rule in Ireland. Landlordism is the prop of that rule, and must be abolished."

Again, on October 9, 1887, the same hon. Member said—

"When I go about the country, and when I see the big houses empty and untenanted and rotting, I say to myself, 'Glory be to God that I have lived to see this day!'"

This was the hon. Gentleman who was free from anything like malignity, and who would have a judicial frame of mind in appointing Sub-Commissioners. The hon. Member for Louth fell with great fury upon Mr. Le Poer Trench, who would be admitted, by every person who practised in the law in Ireland, to be one of the fairest and most upright lawyers they ever had. He had never before heard the slightest suggestion that Mr. Trench would be partial, and the statement that he was Lord Clancarty's brother was altogether unfounded. Here was what was said by the Member for North Leitrim at a meeting in County Sligo on October 16, 1892—

"Before I say a word on the question of the reduction of rent, allow me to say that I hold the opinion that there should be no rent paid to the landlords at all. I hold that the land of this country was created for the use and benefit of those who till it, and until that question is settled—as it must be settled soon—there can be no peace, as between landlord and tenant, in the country."

These were the statements of the gentlemen who were to appoint the Sub-Commissioners. He could not really imagine how the Government, having spoken as they had in the past, could fail to see what an outrageous injustice and hardship would be created if they did not accept this clause, either wholly or in part. He quite admitted there was great force in what the Chief Secretary said as to preventing the Irish Legislature touching the land for all time; but here was a subject brought to their attention, and it was clear the Irish Members thought landlordism was itself something in the nature of a crime or felony. How otherwise could they account for their supporting the Plan of Campaign, which every lawyer in Christendom would say was illegal, and which the highest authorities of all the Churches denounced as immoral? Yet they justified the

Plan of Campaign. How could the appointment of Sub-Commissioners be handed over to these men, who would be absolutely the masters of the situation? Of all the judicial persons in the world a Sub-Commissioner was the most irresponsible. He could put what value he liked on the land without giving rhyme or reason for his decision, and it was a difficult thing to raise any rent or lower any rent when once it had been fixed by the Sub-Commissioners. [Mr. BODKIN said it was a very common thing.] It was extremely difficult to effect any change in the question of value, because the Chief Commissioners said the Sub-Commissioners had been to the place and had investigated the whole situation, and they would not reverse the decision of the Sub-Commissioners unless they had gone wrong on some point of law, or unless the Chief Valuer—and he did not suppose such an official would exist under the new *régime*—reported that the rent had been fixed at a ridiculously low figure. Even if hon. Members were relying on the Court of Appeal, how could the Court of Appeal ever do the work? They would require 200 Sub-Commissioners, and how could three Chief Commissioners ever hope in any way to overtake the amount of work that would be thrown upon them? and, of course, the expense to the landlords would be simply ruinous. To appoint members of Trade Unions in England to compulsorily fix the wages they were to receive from employers was not so absurd as what the Government were doing, because they were actually giving over the appointment of Sub-Commissioners to the Party whose declared aim and object was to destroy and ruin the landlords. He said that the proposal of the Government was unfair, not merely to the landlords, but to the Legislature it was proposed to set up, because a temptation would be put before them which they could not resist. Fancy what would happen to a Member of Parliament who secured the appointment of a Sub-Commissioner favourable to the landlords! He would be at once ejected from his seat, whilst what would happen to the Sub-Commissioner who did not comply with the wishes of the tenants was exemplified by the way in which the Lord Mayor of Dublin was dislodged the other day for some mistake

*Mr. Ross*

in his social functions. He appealed to the Government, if they wished to retain any reputation for fair play or justice, to deal with the important question placed before them in this clause.

MR. W. E. GLADSTONE (Edinburgh, Midlothian) (who was imperfectly heard) said: I think the House will admit that since the speech of the right hon. Member for West Birmingham (Mr. J. Chamberlain) this Debate has travelled over a field very greatly wider than that defined by the terms of the Amendment. The right hon. Member for the University of Dublin (Mr. Plunket), who found great fault with the Member for North Louth (Mr. T. M. Healy) for certain parts of his speech, not only discussed the Land Question at large, but he also went into the question of the relation of the land to Home Rule, and he said there would have been no Home Rule Question if it had not been for the land. Before addressing myself to the Amendment there is one word the House will consider I am not only justified, but bound to say upon the subject of the character and appointment of Mr. Vernon. It has been said with truth that Mr. Vernon enjoyed the confidence of the Government that appointed him, and of which I had the honour to be the head. Appointments of a secondary character are not matters in which the British Cabinet intervenes, but unquestionably the appointment of Mr. Vernon was an appointment of such importance that it would be most dishonourable on my part to evade any part of the responsibility of that appointment. I am not able to speak with accuracy of all that took place in connection with the Commissioners after the appointment of Mr. Vernon; but as to Mr. Vernon, he was a man not so much to be considered as a person of standing in connection with a particular estate as he was a man who enjoyed largely and widely the confidence undoubtedly of the landlord class in particular, but also of the community at large. He was a person who was held in the highest and even exceptional respect, and it was in that view that the office of Commissioner was conferred upon him without his seeking, and my recollection is that, on the contrary, he was very reluctant to accept the office. Contented with the position he held, and extremely unwilling to put himself into

a more forward position; and if he was induced to accept the office it was in consequence of the pressure of the Government upon him, for we believed, whether rightly or wrongly, that his appointment was one that would have the effect on the one hand of preventing violent hostility from the entire landlord class in Ireland, while on the other hand, so far as we knew, he was a person who was not suspected of anything like intentional unfairness against the Nationalist Party. His conduct was very strongly attacked in 1882, but that was the only concerted and violent attack made upon those who worked the Act. The attack was made in the House of Lords under the name of appointing a Committee of Inquiry. We also had a strong attack made in this House, upon Mr. Forster and his appointment of Assistant Commissioners, which Mr. Forster gallantly and successfully defended. Now I come to the question which is immediately before us, and I hope I can confine myself pretty closely to the question. As I understand the matter, my right hon. Friend has fairly stated his case. His contention is that if the Irish Legislature and an Executive enjoying the confidence of the Irish Legislature is invested with the appointment of the Commissioners and Sub-Commissioners that these will be gentlemen who will pay no regard whatever to the specifications of the law, but will proceed entirely on their own absolutely uncontrolled opinion as to an original injustice of Irish landlordism, and administer the law in that spirit with utter and total disregard to every legal obligation. Now, what are the proofs that have been produced of that heavy charge? My hon. Friend the Member for Louth (Mr. T. M. Healy) met the challenge of the right hon. Member for West Birmingham (Mr. J. Chamberlain). Did he accept the doctrine that five years' purchase on a prairie value were the limit of the landlords' fair rights? My hon. and learned Friend stated, in the most explicit language, that what he wanted was a fair construction and fair application of the Act of 1881. He stated that if that Act were so applied, and if it presented the prairie value, then he was for prairie value; but if prairie value meant anything less than the value which was the fair construction of the Act, he was not

for it. A speech has been produced of a Mr. Harris, now dead. Undoubtedly a very violent speech, in which Mr. Harris said he would come for a slice this year, next year, and the year after, until there was nothing left. But who was Mr. Harris? Undoubtedly he was an Irish Member, but he was not a leading Irish Member. I am bound to admit that the hon. Member succeeded in quoting another Irish Member, who now sits in this House, and who had propounded doctrines as to the payment of small rent and no rent at all, and who said he was inclined to the doctrine of no rent at all; but these are doctrines from which I dissent in the strongest manner. These doctrines, whether of the dead man or of the living man, I conceive to be subversive and dangerous. I believe that Mr. Harris never occupied a position as a leading Member of the Irish Nationalist Party, and my impression is that the hon. Member, the living Member, the single living Member, who has been quoted with any sort of approach to effect, is also a gentleman who has been without experience in Parliament, who probably represents that excited feeling which had undoubtedly called for, if not justified by, the past history of the Land Question in Ireland. As a charge against the sentiments and judgments of those who possess the confidence of the Nationalist Party, they have, so far as the present Debate is concerned, in my opinion entirely broken down. As to the question of the interpretation of the Act, I know that the most monstrous charges are made, and it is right and necessary for us to meet them with the exposition of what are their true character. I have very little hope of making any impression upon the minds of those who sit opposite, but at least I am able to point out that they have succeeded in showing, with regard to one gentleman, now dead, and another now living and occupying a seat in this House, that he holds opinions about rent in Ireland that we are not able to justify, which have not received from us any countenance, and never would receive from us any countenance whatever. Is it really to be a condition of the action of any political Party that no such thing is ever tolerated in it as the utterance of violent opinions? Are you ready to have that test applied to yourselves? What are

the doctrines of armed resistance? They are quite as strong as those of prairie value and no rent. Are you in a position to take the mote out of the Nationalist eye and not regard the beam in your own—in the eye not of a dead Member of Parliament, not in the eye of a new-born Member of Parliament, not of men unknown in your ranks, but of your very Leader? The isolated offences of individuals for which you seek to hold the Nationalist Party strictly responsible furnishes a strong contrast to the language used by your Leaders about resistance to the law—language which I believe you will ere long sincerely and cordially regret. [*A laugh.*] I merely give my opinion. To some gentlemen opposite it appears ridiculous; but it is my belief that there will not be adhesion to these most revolutionary, most disorderly, and most unpatriotic doctrines. My answer is that we have no right to impute this general untrustworthiness to those who now represent the Irish Nationalist Party, nor have we a right to impute it to the Irish people. I do not deny that there is excitement, or that there has been excitement about the Land Question in Ireland; but this I will say: that I believe if we look back over the history of this country the Irish people have been, upon the whole, the best rent-paying people in the world. They have paid rents in silence and without complaint for long periods of years, which no other people have done. Therefore, I hold there is no reason why we should accept the proposition that the Irish nation is to be held generally untrustworthy in regard to the eventual form of and administration of the Land Laws. In reply to my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain), I have no hesitation in saying that we ought to deal with the Irish Land Question within the three years. The Irish Land Question has been from its origin—by which I mean the period anterior to the first legislation in 1870—a question which presented to us a huge mass of entangled difficulties; but we have made a number of successive steps, and by these steps we have achieved a great deal towards the solution of the question. In my opinion, we have made advances since 1881. I do not deny that the Land Act of the late Government is an advance; in fact, the two Land Bills

have been most important advances towards the solution of the Irish Land Question, and the question of the purchase and sale of land, which came at a later period, was a still further advance. If the right hon. Gentleman asks me for my judgment, the best opinion I can form is that it would be impossible for Parliament to pass over those three years without some further legislation with regard to Irish land. But after my 61 years of Parliamentary life I cannot speculate on what I might be doing three years hence. Any opinion I might give on the case must be more or less, from the necessity of the case, of an abstract character; nevertheless, it is my deliberate opinion it would be monstrous to bind the House of Commons. I hold that the Irish Legislature would be under the strongest moral and prudential obligations to deal with the subject in the spirit in which my hon. Friend the Member for Louth (Mr. T. M. Healy) dealt with it to-night. I cannot conceive a stronger moral obligation, for, whatever may be said as to the injustice in which heretofore Irish landlordism was rooted, you cannot, after centuries have elapsed, visit on the children the sins of the fathers; and if you did, the injustice would be as gross as that which had been originally inflicted. But are there in the future to be no landlords in this House or in the other House? The case alleged is that these Assistant Commissioners will not look to the provisions of the Act of Parliament they are to administer; they are all to be men who think the landlord has no title to any rent, and would act in their sentence without any regard to the Act. That, in my opinion, is a monstrous supposition. If the Irish Legislature were to appoint Commissioners who would hold such ideas, or who would give effect to such revolutionary ideas, would that escape notice on this side of the water and in this House? Was approval given to such an idea by the Member for Limerick, or by Mr. Davitt in his remarkable speech which adorned and dignified his too short career in this House? So palpable an injustice would not be tolerated or endured for a moment by the people. Therefore, I think there would be ample security for meeting a case which, if, indeed, it did occur,

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would be a grievous case; but the occurrence of which I, for one, have no anticipation. But there is one little circumstance to which I must venture to remind hon. Gentlemen, and it is that often in this House and out of it we hear a studied attempt to identify the landlord class with the loyal minority. We know what is meant by the loyal minority, but I venture to prophesy that when this matter is so far settled as to give into the hands of the Irish Legislature the management of the Land Question, or which is called the Land Question in this House, the landlord class will do well to reckon with, finding among the most difficult and awkward of those tenants with whom they will have to deal a considerable portion of the loyal minority. I should be very glad to hear hon. Gentlemen opposite give us their opinions on this subject. Do they think the Ulster tenants are satisfied with the present landlords? If they are not satisfied on that point, they would do well to take that circumstance into their view in determining their future course. With regard to the Amendment, I would point out that if you pass such an Amendment as this you would, in the first place, introduce an anomaly that is without justification; and, in the second place, you would introduce a machinery which could never be made permanently workable. Are we to allow the Irish Legislature to make all the laws with regard to the land, and then are we to exclude the Legislature from all influence over the administration of those laws? I am not prepared to take a course that shall abrogate and stultify the very first principle of the Bill by introducing into it a mechanism which proceeds entirely upon the old principle that Ireland is to be governed not by its own free action in its own domestic affairs, but is to be governed by influences brought to bear upon it from beyond the Channel; and that the English Cabinet, without any responsibility to Irish authority, is to determine from year to year and generation to generation who are to be the persons appointed. In my opinion, that would indeed be a very great mistake—a great mistake in the interest of the landlords themselves; and were I in their position I should represent to them that it would be safer to leave the responsibility of these appoint-

ments to the domestic Legislature, but using all the means they could to maintain a lively observation from British quarters on what the Irish Legislature did in quittance of that responsibility. That would be a far safer position for the Irish landlord than to introduce into the heart of the Bill an important administrative provision contrary to its spirit; provoking, irritating, and exasperating to Ireland in every point of administration of this vital question, and binding a final farewell to all the hopes we, at any rate, cherish, and failing to give to this Act something in the nature of a solid and permanent settlement. On these grounds I follow my right hon. Friend in offering a decided opposition to the adoption of this Amendment.

MR. A. J. BALFOUR: The right hon. Gentleman who has just sat down began his observations by attacking my right hon. Friend near me, the Member for the University of Dublin, for traveling beyond the scope of this Amendment. I would remind the right hon. Gentleman that this is the first opportunity on this Bill on which the peculiar methods of Parliamentary management adopted by the Government have allowed us to say a word on what, after all, is the vital centre of the Irish controversy—namely, the Land Question. It certainly is not a strange thing that some hon. Members should have been tempted to move slightly beyond the rigid points of the Amendment actually before us. But, while such procedure is excusable, I do not admit that the Opposition have been the offenders. The Prime Minister, who is so anxious for the relevancy of our Debates, and who when he is attacking us is most anxious that ample debate should be allowed, himself dragged in an attack I did not discover on whom, but on those he described as the Leaders of the Unionist Party, for having made certain speeches which he interpreted as an incitement to violence in Ulster. Those speeches may or may not have been made, and the subject is one which may or may not be open to the criticism of the Prime Minister; but what has the criticism to do with the Amendment before the House, and who is guilty of dragging in irrelevant subjects likely to embitter and prolong debate? I freely grant, however, that the right hon. Gentleman was not the chief offender. The

chief offender, no doubt, was the hon. Member for North Louth (Mr. T. M. Healy), who made a speech most characteristic of him ; and if the hon. Member will allow me to give him a piece of advice it will be not to attempt by such speeches to further Government business. It was the kind of speech I have often listened to from the hon. Gentleman, and the kind of speech which, when I sat on the Bench opposite and was anxious for the rapid progress of business, I was frequently obliged to listen to in silence. But on the present occasion I would say that the speech of the hon. and learned Member seemed to me to be almost absolutely irrelevant and characterised by that gross want of taste to which the House is accustomed from that particular quarter, and to be adorned by those attacks on the absent and the dead which the hon. Member is peculiar for. With regard to the greater number of persons the hon. and learned Member dragged into the controversy I do not intend to delay the House. Lord Ashbourne, for example, is capable of taking care of himself ; but when the hon. Member attacked a man like Mr. Wrench, who, from his position, is incapable of replying, and when I know those accusations to be absolutely unfounded and totally devoid of a shadow of accuracy, it is necessary that I, who know Mr. Wrench well, and how much he deserves the confidence of every man interested in the impartial administration of the Land Law in Ireland, should defend him from the unwarranted attack of the hon. Member—an attack which I do not care further to qualify. I pass to the speech of the Chief Secretary, on which one word of comment is necessary. The right hon. Gentleman repeated, I am sure in perfect good faith, the criticisms which have been passed so often on the Irish landlords in regard to their conduct since the passing of the Land Act of 1881—criticisms which I believe to be utterly unfounded. The right hon. Gentleman asked whether it is possible to defend the Irish landlords when we see that they are only compelled by the action of a judicial tribunal to grant those reductions of rent in Ireland which English and Scottish landlords have voluntarily granted. I do not think that is a fair observation. If the Act of 1881 had not been passed, and the Irish landlords had then refused to reduce the

rents, they might have been open to criticism ; but after this House has produced public machinery for the purpose of revising and reducing rents, how can we blame the Irish landlords for saying—"You have provided machinery ; let it work ; we are not going voluntarily through the trouble and expense of estimating the precise amount of rents that may be reduced when you have told us that you mean to do so, in so far as justice requires, by machinery of your own creation. Whatever is done, the rents are to be secured to the tenants for 15 years." I think that that answer is conclusive. I confess, if I had been an Irish landlord in 1882, and my tenants had come to me with a request to reduce their rents, I should have said—"I think reduction very desirable, even necessary, looking at the fall in prices and the state of the crops ; but the State has provided you with a means of arriving at that result, and I advise you to avail yourselves of it." If I had pursued that course with my Irish tenants I do not think it would have lain in the mouth of anyone—certainly not anyone responsible for the passing of the Act of 1881—to criticise my action.

MR. J. MORLEY : Why did you pass the Act of 1887 ?

MR. A. J. BALFOUR : The right hon. Gentleman throws in an interruption which, if I were to deal with it adequately, would double the length of my speech. He asks me why, under the circumstances, we passed the Act of 1887. If he wants my views on the land legislation of Ireland, I would say that my opinion is that the Act of 1881 was taken in the wrong direction. It unsettled the whole Irish Question and settled nothing. The proper mode of dealing with the Irish Land Question, according to my view, is now, and always has been, by the extension of the scheme of Land Purchase. As the Government, against my protest, insisted on passing the Act of 1881, and against an Amendment which I moved, it became necessary that we should patch up the sinking ship and try and make the machinery work ; and though I do not look forward to the particular clauses of the Act of 1887 with any special admiration or affection, I believe they were absolutely necessary as a consequence of the disastrous legislation for which the right hon. Gentle-

*Mr. A. J. Balfour*

man and his friends were responsible. That is a parenthesis extracted from me by the interruption of the right hon. Gentleman. I now come to what is the very heart of this matter—"What is the action which we are justified in expecting from hon. Gentlemen below the Gangway in the appointment of the Sub-Commissioners when they have the power?" How did the Prime Minister deal with that question? The right hon. Gentleman took the speech of the hon. Member for Londonderry (Mr. Ross) and said that two speeches had been dragged to light made by Irish Members—one by a Mr. Harris, now dead, and the other by the hon. Member for Leitrim. The speeches were described by the Prime Minister as deplorable, and speeches of which the Home Rule Party could not in any way approve. He said they were speeches which did not represent the general policy of hon. Gentlemen from Ireland. On the contrary, I maintain that they represent absolutely the policy of those hon. Gentlemen; and if my hon. Friend quoted no other speeches it was not because there were no other speeches to quote. Such speeches abound, and may be found in scores in the evidence given before the Special Commission. I will read one sentence from the finding of the Commissioners. They said—

"In our judgment the leaders of the Land League . . . combined together to carry out a system of boycotting, and by a system of coercion and intimidation to promote agrarian agitation against the payment of agricultural rents for the purpose of impoverishing and expelling from the country the Irish landlords, who were styled 'the English garrison.'"

The right hon. Gentleman (Mr. W. E. Gladstone) himself used that phrase, "The English garrison."

MR. W. E. GLADSTONE: Where did I use it?

MR. A. J. BALFOUR: He certainly did so—there is no question about it. But it is a small matter. Who were the persons against whom that verdict was found? I will not read all the names, but in the first column we find these: Mr. Dillon, Mr. Sexton, Mr. J. O'Connor, Mr. W. O'Brien, Mr. T. D. Sullivan, Mr. A. O'Connor, Mr. Harrington, Mr. Justin M'Carthy, Mr. Condon. Let the right hon. Gentleman, therefore, notice that our case does not depend upon the chance utterances either of Mr. Harris

or of the hon. Member for Leitrim. It depends upon a long series of statements of the most influential gentlemen below the Gangway, which have been quoted and investigated *ad nauseam*, with regard to which no possible doubt can be entertained, and which produced such an impression on the minds of right hon. Gentlemen opposite in happier times, that they came forward and said under such circumstances that it was an obligation of honour to settle the Irish Land Question before Home Rule was granted. That being the evidence on one side, what is the evidence the right hon. Gentleman has brought forward on the other? The only trace of evidence which he alluded to in the whole of his speech was what has fallen from the hon. and learned Member for Louth. And what did he say? That hon. Member said—

"We only desire to administer and interpret the Act of 1881. The intention of that Act is to give all the improvements to the tenants, and we propose so to interpret the Act that they shall get the value of those improvements and nothing else."

What can be fairer, said the Prime Minister, and, indeed, properly interpreted, what could be fairer? But that statement, which appears to be so clear and precise, is, as everybody who has investigated the subject knows perfectly well, full of fallacy and capable of an interpretation which means nothing less than highway robbery. If you are going to argue, as I have heard many respectable people argue, that the landlord has done nothing, and that the tenant has made all the improvements, such as they are, so that the whole value of the land is produced by the tenant, and, therefore, the tenant ought to pay no rent, I would ask, has it ever occurred to gentlemen who argue in this way that if the land without the improvements is worthless the improvements without the land are worthless? The whole question is how they were to divide, as between landlord and tenant, the fair share which belongs to each. It is not only not just to say that the landlord had no value in his property because the land without improvements is worthless; but it is a grossly absurd doctrine and little short of public plunder, and if the hon. Member for Louth and his friends are going to interpret their policy as accepted by the Prime Minister in that sense, then I say

they will not only have a policy which has for its object the impoverishing and driving out of the "English garrison," but they will entirely succeed in that object, and not a single landlord in Ireland will be able to obtain a single atom of that property which on every equitable principle really belongs to him. I want the right hon. Gentleman to realise exactly what are the dangers which we wish to guard against by this Amendment. It being granted, as it must be granted, that the policy of the future Home Rule Government will be an anti-landlord policy, how will that Government be able to carry out its objects? There are three methods or instruments by which that policy may be carried out. It may be done by legislation; it may be done through Executive action; and, unfortunately, under the existing system in Ireland, it may be done by judicial action. With regard to legislation I will say nothing. That is a subject which will, I hope, come up for discussion hereafter. With regard to Executive action, we have already endeavoured, in one of the Amendments moved from this Bench, to make it impossible for the Irish Government by simply refusing protection to prevent landlords from getting their just rights. On that, again, I will say nothing. But the third and the most insidious and dangerous of all these methods is the judicial method, by which, without passing any Act of the Irish Legislature, and without committing any gross breach of Executive duty, it will be possible for the Irish Government slowly to eat up any property of the Irish landlords until everything that the hon. Member for Leitrim in the moment of his most ardent eloquence can desire will be absolutely accomplished. What are the safeguards? The veto is held out as a method of stopping all flagitious legislation; but here the veto cannot step in. With regard to the Executive action, we are told that it is the duty of every officer of the Crown in Ireland to carry out the law, and that there will be a remedy if he fails to do so. But what remedy is there against bad appointments to the Land Commission? The Prime Minister says "keep a lively observation" upon the appointments made by the Irish Executive in the matter of these Sub-Commissioners. Well, I have two

observations to make on that argument. The first is, that if we are to keep a lively observation, with the accompaniment of perennial Debates, upon the exercise of patronage by the Irish Government, then we do not get rid of the Irish Question by passing Home Rule. My second observation is, that the liveliest observation carried on by the most critical majority or minority in this House or in the other House could not really guard against this particular danger. How will the qualifications or the fairness of these Sub-Commissioners be adequately dealt with in a Debate across the Table of this House or in the other House? Such things rest, and must always rest, upon the competence and honour of the appointing Government. It would be perfectly vain for us, or any aggrieved Irish landlord in the other House, to get up and say Mr. So-and-So is a bad appointment, for he has expressed certain views as to prairie value which indicate that he is going to rob the landlords. It is impossible to make these observations and produce any effect by them. The mischief will be done by these bad appointments without its being possible for either House by a Resolution, or by any other machinery, to intervene in the least. The fundamental danger of the situation is that we have got a land system in Ireland which is essentially unworkable in the best of times; but if it be workable at all, it is only workable if it is administered by men appointed by an absolutely impartial tribunal. Everything depends upon the nature of the tribunal. If we pass Home Rule, in whose hands will these appointments be left? They will be left in the hands of an Assembly 99-100ths of which depend absolutely upon the tenants' vote. The right hon. Gentleman surprised me a little while ago by his statement that the tenants of Ulster might be disposed to take as extreme a view of the Land Question as the tenants anywhere else, but if that statement is true it is only an additional reason for the Amendment. I do not wish to argue this question as if it were a question between Loyalists and Nationalists. I desire to argue it upon broader grounds; and I say that if you are really going to leave the whole decision as to the value of one great source of property in Ireland to a tribunal which is a monstrous overgrowth

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of that system, and to say that that tribunal is to be appointed solely by one party to the suit, it will be a monstrous thing to do. If we could conceive ourselves as going back to Grattan's Parliament, in which both Assemblies were composed of landed proprietors, I should say it would be as monstrous a thing to hand over the Land Question to the landlords as it would be now under Home Rule to hand it over to the tenants. Therefore, it appears to me that we have undertaken a most difficult and delicate responsibility with regard to landlords in Ireland. The Act of 1881 was accompanied by promises to these men which cannot be fulfilled unless the Imperial Parliament retains in its hands the administration of that Act. Whether the impartiality of this great Assembly is sufficient to work so difficult a system as the Act of 1881 I very much doubt. The Debate of to-day is sufficient evidence that both landlords and tenants think themselves aggrieved by its working. But of this I am certain—that that which is a task almost too hard to be performed by this House is one far beyond the power of any Assembly in Ireland which depends for its constitution, its existence, and its character on the votes of one, and only one, of the two great parties to this suit about the land.

MR. RENTOUL (Down, E.) wished to make one or two observations, as the hon. Member for North Kerry (Mr. Sexton) had remarked upon the fact that no one representing an Irish Unionist rural constituency had taken part in the Debate. [*Cries of "Divide!"*] He represented such a constituency; and in reply to the Prime Minister, who said that the Ulster agriculturists would probably be as difficult to deal with as any other farmers, he wished to say that he agreed with the right hon. Gentleman. It would be very unfortunate in Ireland to leave the interests of the landlords to any rural Representatives, whether Unionist or Home Rule. They knew that in all the counties of Ireland under the peculiar land system which there prevailed the tenant farmers would be the worst judges of matters in any way affecting the interests of the landlords. He himself should be extremely sorry to have the Land Question left to his own arbitrament, representing his present

constituency. He had been returned by the tenant farmers of an agricultural constituency, and he, for one, should be extremely sorry to have to hold the balance between the rights of the landlords and the demands of the tenants. All Ulster Members representing agricultural constituencies had come in at the last election pledged to compulsory sale. It was clear that Members pledged to that were pledged to try and get the Land Question settled and put out of the way, and in their opinion this Parliament was the Parliament to settle the question. [*Cries of "Divide!"*]

SIR T. LEA (Londonderry, S.) said, he intended to reserve the remarks he had proposed to make on this subject until a later occasion, but he wished now to correct a mis-statement made by the hon. Member for Louth (Mr. T. M. Healy). It was not accurate to say that the late Government had filled the Land Commission with their own nominees. As a matter of fact, the majority of the Sub-Commissioners were appointed by the present Prime Minister.

Question put.

The House divided:—Ayes 138; Noes 173.—(Division List, No. 264.)

\*MR. SPEAKER: The next Amendment is in the name of the hon. Member for South Londonderry (Sir T. Lea) as follows:—

(Elections not to be held on Sunday.)

"In no case shall any election to the Legislative Council, the Legislative Assembly, or the Imperial Parliament be held on Sunday."

That is not in Order. Sunday elections have been excluded in the Ballot Act. But, however that may be, there will be opportunities for raising the matter in the Bill—possibly on the Sixth Schedule.

MR. HENEAGE (Great Grimsby) said, he had given notice to move the following Clause:—

(Rights in sea fisheries.)

"No inhabitant of the United Kingdom shall be deprived of the rights and privileges of equal treatment as regards public sea fisheries, and no person carrying on any special fishing trade or industry shall obtain any undue preference in Ireland or Irish waters so as prejudicially to affect other persons engaged in the fishing trade, part of whose business may be carried on in some other part of the Queen's dominions." He thought, however, that the Amendment to Section 5 of Clause 4 to be

moved by the Chief Secretary would cover the point he had in view, taken in conjunction with Clause 3. Under the circumstances, he would not move his new clause.

\*MR. GIBSON BOWLES (Lynn Regis) moved the insertion after Clause 5 of the following Clause:—

(Resolutions of Privy Council to be signed.)

"All resolutions taken upon any matter or thing transacted in the Privy Council of Ireland, or in the Executive Committee of such Privy Council, shall be signed by such of the Privy Council as shall advise and consent to the same."

He said, his proposal raised a point of high Constitutional Law which he wished had fallen into better hands than his. Its object was to make Ministerial responsibility a reality instead of, as it was at present, a sham. It was now considered that the responsibility of the Cabinet was collective, and that there was no individual responsibility at all. He submitted that if it were wished to enforce responsibility in any department of life the practical and only possible method was to enforce it on an individual and not on a Corporation. When a burglary was committed the authorities did not complain of the abstract criminal classes; they sought out a concrete Bill Sykes with a concrete crow-bar, put him into a concrete prison, and fed him on concrete skilly. If there was one excuse better than another for the new clause he proposed it was that it was no invention of his own. The clause was extracted from the Act of Settlement. When the English people came to make a new contract with a new dynasty they found it necessary to lay down certain Constitutional rules. The provision from which his clause was taken was passed as the result of a solemn decision by a Committee of the House of Commons, that decision being that before any new limitation of the succession should be agreed to it was necessary to make further security for the rights and liberties of the people. Of course, he knew that the students of the Constitution would at once say that the clause was repealed five years after it was passed. It was repealed, no doubt, because of the inconvenience the Ministry felt might be inflicted on them by the clause, and because they were agreed that they would face anything rather than individual responsibility for their

political acts. But the rule laid down in the Act of Settlement was no new thing. It was simply a declaration of what had always been the law of England, and of the rule that had been universally followed till the evil time of the Restoration. Charles II., wishing to be absolute on the French plan, as it was said, and the Ministers being only too ready to second him in his attempt, the idea was first conceived of that Ministerial Body unknown to our law—the Cabinet Council, which was invented for the ease and comfort of the King and the Ministers, and as a cover for all their acts, however illegal. The establishment of the Cabinet Council was not, however, allowed to pass without protest in the House of Commons. One Member said that the method of resolving upon things in the Cabinet and then bringing them before the Privy Council for the assent of that Body had not been the method of England, and he added—"If this method be, you will never know who gives advice." Another Member said he had heard that the distinction between the Cabinet Council and the Privy Council was that the Privy Council were such as were thought to know everything and knew nothing, whilst those of the Cabinet thought that nobody knew anything but themselves. Macaulay said of the Cabinet that during many years old-fashioned politicians continued to regard the Cabinet as an un-Constitutional and dangerous Board, and he added that it had continued to be unknown to the law. Hallam said that the Cabinet had no legal existence, and that such responsibility as was attached to it had no tangible character. The last quotation with which he would trouble the House was to the effect that should the policy of these men arouse a popular cry against them and a penalty be demanded, they would invariably enshroud their persons in the dark recesses of the Cabinet, and thus seek to escape the burden of individual responsibility. The old method he had sufficiently indicated by the extracts he had read. The new method was one under which the gravest affairs of State were decided by a Body unknown to the law and incapable of being tracked in any one of its deeds. They constantly had had to discuss allegations as to what had passed on important affairs in the Cabinet. In 1878

*Mr. Heneage*

there was a dispute between Lord Derby and Lord Salisbury on the question of Cyprus, the one contradicting the other, and, as no records were kept, it remained to this day a question as to which of the two statesmen was right. And it would have still so remained even had impeachment depended upon it. They were told that Ministers might be impeached, but how were they going to get evidence for it? The method of impeachment had not been resorted to since the time of Warren Hastings, and in his case it was only successful because it rested, as Burke told them, on records signed by Warren Hastings himself. He could show by quotations—

**MR. J. MORLEY:** I rise to Order. I wish to know whether the hon. Member is in Order in going into these quotations?

**\*MR. SPEAKER:** It appears to me not quite relevant to the clause to go into these matters of by-gone history. I am of opinion that the argument upon the proposed clause could have been put into a very few words.

**\*MR. GIBSON BOWLES** said, that he would follow that intimation, and abbreviate his remarks. All he had desired to say on the point was that as in the past, so in the future, signatures would be necessary in case of impeachment. He admitted that he never expected to receive any support for this clause from any Minister or ex-Minister, nor even from anyone with the least hope of becoming a Minister. They would all wish to enshroud themselves in the secrecy of the Cabinet, and to get rid of all responsibility. Hence his proposal would not receive the support it ought to. The subject, however, deserved attention, and this proposal was an attempt to restore the responsibility of the Minister, which alone was the condition for securing the liberties and rights of the people.

Clause (Resolutions of Privy Council to be signed,)—(*Mr. Gibson Bowles*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

**MR. J. MORLEY:** I do not think I need detain the House in opposing a proposition for which the hon. Member admits that he does not expect the sup-

port of any responsible Member in the House. It can scarcely be professed that it needs serious treatment. The hon. Member says that a proposal that a Minister who takes part in the Cabinet deliberations shall sign any Resolution that may be carried is ancient law, and part of our ancient Constitution. I affirm, without fear of contradiction, and in spite of the authorities he has cited, that it has not been the law of England for a single day, except during the period it was contained in a clause in the Act of Settlement which never operated, and which, in fact, was promptly repealed. It is interesting, on the threshold of the 20th century, to find a gentleman coming to the House and attempting to revive a proposal which was found almost too strong for the Tories at the beginning of the 18th century. Why did not the hon. Member propose that no Minister holding office under the Crown should have a seat either in that House or in another place?

**MR. GIBSON BOWLES:** I am going to propose that later on.

**MR. J. MORLEY:** I will not detain the House any longer in explaining that we cannot accept a proposal which the hon. Gentleman himself admits his own Leaders are as unwilling to support as I am.

Question put, and negatived.

**MR. ARNOLD-FORSTER** (Belfast, W.) rose to move, as a new clause, the following:—

(Confidential documents to be removed to London.)

"On or before a day to be appointed by Her Majesty in Council, and not later than one month before the appointed day, all papers, letters, and other documents of a confidential nature relating to the detection or punishment of crime, the administration of justice, and the treatment of prisoners which at that date shall be in the custody of any department or official in Ireland, shall be removed from Ireland, and shall be handed over to the custody of Her Majesty's Principal Secretary of State in London; and such papers, letters, and documents shall not at any time be open to the inspection of any official save with the written permission of Her Majesty's Principal Secretary of State."

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

**MR. ARNOLD-FORSTER** said, he would not detain the House long in

moving this Amendment, as it was possible it would prove acceptable to the Government, because the major part of the proposition, as it stood, was put by him in the form of a question to the Prime Minister, in the early part of the Session, and the right hon. Gentleman gave an answer which seemed to be favourable to the end he had in view. He had put the proposition in the form he now submitted it to the House for two reasons—first, because he did not think the Government had as yet taken any steps to give effect to the object he had at heart; and, in the second place, because there were certain conditions which were essential with a view to carrying out this purpose which could not, of course, be mentioned in the question as he had put it, or in the answer which he had got, and which he was anxious should be brought under the consideration of the Government. The necessity of taking some such steps as he proposed must be obvious to every person who considered the matter dispassionately. He believed he was correct in saying that there was no one so strongly in favour of withdrawing the documents from Dublin than the present Secretary for Scotland, who was Chief Secretary for Ireland at one time. There could be no doubt that if Home Rule were carried there would be an absolute necessity that the continuity of the Post Office in Ireland should be broken to the extent of removing all papers which would compromise persons from the purview of the Irish Government. He attached some importance to the measure by which the course he suggested would be carried out. He thought something more was wanted than that the papers should be merely taken out of the cognisance and control of the Home Department which would be set up in Ireland under this Bill. It was absolutely necessary that a definite pledge should be given to the House that the papers would be removed entirely out of the purview of every person who either directly or indirectly might give some publicity to those papers, or use them to lead to compromising the safety or welfare of any individual. He wished to make it quite clear that he was not speaking alone of those documents relating to information given to the police in the discharge of their onerous duties; because though he felt strongly that they

owed a clear and obvious duty to those whom the police might have employed, in whatever form, to assist them in carrying out the Executive work of the Government of Ireland, and though he was clear that while they were not making many friends, they were in great danger of making enemies of those who had been their friends, it was not alone on behalf of those people that he desired to move this clause. It was the duty of all citizens to assist the law—a fact which was sometimes forgotten—by giving information to the police for the purpose of detecting criminals, as well as attending subpoenas and serving on juries. But he had in his recollection many incidents during the past 10 years in Ireland in which persons who, by obeying the positive demands of the Constitution in respect to carrying out the Criminal Law, had earned the hostility of parties in Ireland, and who would undoubtedly, if those records were placed at the disposal of the new Government, be open to grave and serious risk. He was not exaggerating in this matter, because anyone who was familiar with *United Ireland* must know that no pains were spared—no trouble was thought too great—in dogging men and women in order to bring up against them anything that might be considered as showing complicity in the carrying out of the law. Then there was another important reason why he proposed this clause. For many years past the Executive had been compelled to take steps not only for the protection of life and property in Ireland, but for the protection of life and property in England, and, for all he knew, a great deal of the information accumulated by the Government in regard to outrages in Great Britain still remained in the archives of Dublin Castle; and it required no argument to show the undesirability of these documents falling into the hands of gentlemen who were more or less indirectly connected with the organisation with which the persons responsible for some of those acts were more or less remotely connected. There was also the danger that if the documents were destroyed there would be an unfortunate lapse in the continuity of their justice, and they might find themselves some future day without some of the essential links that the police ought to have in their hands. He did not suppose that

*Mr. Arnold-Forster*



anybody acquainted with the difficulties of Executive Government in Ireland would deny that under Home Rule there would be the possibility of some of these documents receiving publicity. Everyone must be familiar with the cases of telegrams disclosed and confidential circulars published, showing a regular conspiracy conducted against the officers who were responsible for carrying out under difficult circumstances the duties which justice imposed upon them. He, therefore, was compelled to believe that if the least opportunity were given for the disclosure or purloining of these documents, the documents might become the property of those whose property they ought not to be. There was only one remedy—that was, to remove all such papers out of the power of those persons who would be responsible for the government of Ireland under this Bill, and transferring them to the custody of some English authority, such as the Secretary of State. He begged to move his Amendment.

Clause (Confidential documents to be removed to London,) — (*Mr. Arnold-Forster*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE CHIEF SECRETARY FOR IRELAND (*Mr. J. MORLEY*, Newcastle-upon-Tyne): I cannot but remember that the hon. Gentleman who proposes this new clause in the year 1886 wrote a letter to a newspaper in which he raised this topic, and in which he said it was bad enough that at that moment all these confidential papers, which he now refers to, were under my supervision and in my power. The hon. Gentleman, who has since, I hope, obtained a better knowledge of things in Ireland, will not think for one moment, under present circumstances, that confidential documents which would compromise those who assisted the Executive Government in their difficult work in Ireland are now in danger of betrayal. But that is only a personal remark in passing. I think the hon. Member will see that his proposed clause is very wide; it would cover all papers and documents relating to the administration of justice and the treatment of prisoners. Surely the hon. Member will agree—and I gathered from

his speech he would agree—that it would be an excessive demand to insist upon the transfer to England of all documents. In answer to a question put by the hon. Member on 6th June, the Prime Minister divided the documents into two classes—routine documents and those of a personal, confidential, and secret nature; and he insisted that a distinction should be made between those two classes. Therefore, the hon. Member is really forcing an already open door. There is no difference of opinion as to the undesirability of allowing certain documents to remain in Dublin. I must point out to the hon. Member what he has overlooked, that provision is already made in the 33rd clause of the Bill for the

"transfer of such property, rights, and liabilities as to Her Majesty may seem necessary or proper to carry into effect,"

and that would, of course, cover documents which are the property of Her Majesty. Now, all these papers to which the Motion refers are the property of the Government, and, therefore, it will be for the Government of the day to determine what documents they will and will not transfer. If it were a Tory Government, at all events they would not be likely to transfer compromising documents. A Liberal Government would be bound by the pledge of the Prime Minister, which I myself am quite willing to renew. There is no difference between the hon. Member and ourselves. We already provide for it in the Bill, and under no possible condition of Executive Government in this country can we conceive imperilling and compromising documents would be transferred; and, therefore, I hope the hon. Gentleman will see that the object he has in view will be fully met without this clause.

*MR. W. KENNY* (Dublin, St. Stephen's Green) asked to whose custody the documents would be transmitted, supposing the transfer were made?

*MR. J. MORLEY*: That is a matter which I confess I have not considered, but there will be no difficulty, when the time comes, in deciding into whose custody they will be given. It will only be done by the consent of the Secretary of State.

*MR. SEXTON* (Kerry, N.): I admit that the hon. Gentleman the Member for West Belfast (*Mr. Arnold-Forster*) is probably more competent to deal with an

Amendment of this kind and with certain other matters that he has brought before the House—as, for instance, crime in County Clare—than any other Member in the House. The hon. Gentleman had the distinction, if I may so call it, of being personally connected with the Government of Ireland during a memorable period. He had some relations, if not official at least personal, with Dublin Castle at that time, and he is probably well aware—and it is no doubt the inspiring motive of the Amendment—that there are many documents there which will not bear the light. The reasons given by him are curious. First, that the Government had so far not carried out the promise made to him at an earlier date in the Session. But if he could assure us that the House of Lords will pass this Bill we could then, perhaps, see the urgency of this Amendment. So far no such announcement has been made by any person in authority, and therefore, I should suppose, there is plenty of time for dealing with this matter. The hon. Gentleman spoke of documents compromising persons. I must say I felt it rather difficult to reconcile that matter with the Amendment before the House, because in the Amendment he speaks of—

“Documents of a confidential nature relating to the detection or punishment of crime, the administration of justice, and the treatment of prisoners.”

I can hardly imagine how a document relating to those matters would compromise anybody. Certainly not the Judges who tried the cases, nor the prisoners who were condemned. The hon. Gentleman contradicted himself in one part of his speech. He claimed that documents relating to crime committed in Great Britain should remain in the custody of the Imperial Government, and that unless such documents remained in such custody the continuity of criminal justice would be destroyed. That is a two-headed argument; for if the documents relating to Great Britain are necessary to secure the continuity of criminal justice in Great Britain, does it not follow that documents relating to crime in Ireland should be retained by the Irish Government for the purpose of securing the continuity of criminal justice in that country? It is quite clear that the documents relating to the detection or punishment of crime, the administration of justice, and

*Mr. Sexton*

the treatment of prisoners will be absolutely required for the purposes of the Government of Ireland. I do not know what documents would be left behind if this Amendment were carried. It even excludes documents which are the necessary tools of any Government, and without which no body of men could enter upon the government of any country. I regard it as an affront on the Irish people, or any Government they might elect, to suggest that the official documents which they would have access to would be used for the purpose of undue disclosure, or anything of the kind. I have no objection whatever to the reply that has been given by the Chief Secretary. I have no doubt that if the Liberal Party are in Office the question will be properly dealt with. Even if the Tory Party were in Office, I do not consider it very likely that they would remove from the custody of the Irish Government any documents necessary for the carrying on of the government of the country. I am at a loss to understand the aim of the hon. Gentleman when he speaks of documents of a confidential nature. In the transaction of the business of every Government there are documents which are absolutely necessary for the conducting of the work of government. If there are any documents in Dublin Castle which were handed in by private informers which, whether they contained true or false information, might expose the persons who sent them in to danger and injury, I would not object to the removal of those documents. My satisfaction would be complete if the authors of these documents left the country with the documents.

MR. ARNOLD-FORSTER said, he had in view special communications from persons who had claimed and received protection.

MR. SEXTON: I say if there are any persons in Ireland who, during the recent troubled period, sent in letters to Dublin Castle, either giving information or seeking protection, I think, especially seeing that such a state of things has passed away, no reasonable end could be gained by desiring to keep those documents in Dublin Castle, or even in existence. With the exception of documents which would expose the persons who wrote them, and wrote them in the faith and confidence that they would not be

disclosed, and who, if they were disclosed, would be exposed to injury and danger—I say that with that exception the punishment of crime, the administration of justice, and the treatment of prisoners are part of the necessary tools of government, and should not be taken out of the hands of the Irish Government. I will make another exception. I should think that this Amendment applies to papers relating to the present generation; and if there be papers in Dublin Castle, no matter what their character may be, which date before the present generation, and do not concern the present generation, I think they ought not to be destroyed, as they would probably be most useful and interesting from an historical point of view.

MR. MAC NEILL (Donegal, S.) said, he had no doubt that the Chief Secretary had probably examined some of the documents in Dublin Castle, which were open to the perusal of everyone. Some of these documents were of great historic value. They used to be in the custody of Sir Bernard Burke, and he told him (Mr. Mac Neill) that the rule respecting them was this—that he would let anyone look at documents 50 years old, and that anything of a shorter age was, for public purposes, excluded. He thought the Chief Secretary would agree with him that nothing would be more unjustifiable than the destruction of those documents. The right hon. Gentleman knew very well that many of the greatest problems of Irish history were not thoroughly solved on account of the destruction of public documents by the authorities. The preservation of these documents was of paramount importance, and historians like Mr. Lecky had placed the greatest stress upon that very point. It was no exaggeration to say that on the documents to be seen in Dublin Castle Mr. Lecky and others had obtained the foundation for the histories they had written. Some of the documents were of the very nature that the hon. Member would wish not to be shown to the present generation. There were documents concerning the Rebellion of 1798. It was quite possible that between 1880 and 1891 documents might have been sent up to the Castle by Irish landlords describing the state of the country, and these would be of interest. As regards

the documents sent in by the informers, they should not be destroyed, because they would show the secret springs of the transactions of the period. He could fancy the kind of documents the hon. Member wished to keep from the public gaze. A Castle document came to light in March, 1887, which was a telegram sent by Captain Plunkett telling the Constabulary “not to hesitate to shoot.” He had no doubt there were other documents of the kind which they wanted to have preserved for the purpose of illustrating in after years the character of the Government of the time. He hoped these documents would not be destroyed, as documents were destroyed at the time of the Union, to cover the infamy of the transaction.

SIR H. JAMES (Bury, Lancashire): The hon. Member for Donegal (Mr. Mac Neill) has dealt with the Amendment from an interesting historical point of view; but I do not think his remarks affect the question as to what should be done with these documents. The question raised in the Amendment is one of vital interest to the immediate present and the immediate future. I understand that my right hon. Friend the Chief Secretary has given pledges, and intends to do what the Mover of the Amendment desires; but the right hon. Gentleman must feel that the disclosure of all the communications of the Government during the last few years might have the most painful effect. It is useless to argue whether men fear undue disclosure or not. There are persons who have made communications to the Government, and they are entitled to protection; and I understand that my right hon. Friend accepts that view. The question is whether we are agreed as to the means. The Chief Secretary says that there is sufficient protection in the Bill. I do not know in whom the property in these documents is vested, or to whom it could be transferred. The section to which my right hon. Friend referred has nothing to do with the question. I would ask the Solicitor General in whom now is the property in these documents vested? If the property in the documents is in the State, it cannot be transferred to the State; and the view my right hon. Friend has expressed cannot be carried out under the section to which he has referred. My right hon. Friend has given a pledge; but I am sure he will see that when we

are dealing with the formation of a new Government a pledge given in the House of Commons to-day can bind no one. Whom can it bind? Can it bind the Government of Ireland? What is asked for is that there should be something in the way of legislation. At present there is nothing to rely on except a statement made in Debate by my right hon. Friend. I would suggest to the Government that they should endeavour to do something more to carry out that which they desire beyond the mere personal statement of my right hon. Friend.

MR. J. MORLEY said, he never put it on the ground of a personal pledge, but on the ground of the circumstances of the situation.

MR. MACFARLANE (Argyll) said, he would like to know what there was at the present time to prevent the Government of England from transferring as many of these documents as they liked? For his own part, he was very desirous that they should be transferred, because if they became public he would be ashamed for his own country. He hoped the documents might be brought to London and kept in secret until all in that House were dead and gone.

MR. TOMLINSON (Preston) said, it appeared to him that there was no valid objection to the clause, which, if inserted in the Bill, would give effect to the wishes of everyone.

MR. PARKER SMITH (Lanark, Partick) said, the hon. Member for Argyll (Mr. Macfarlane) had put in plain words what seemed to be in the mind of the right hon. Gentleman—that was to say, that transfer of property meant shifting documents from Dublin to London. They were extremely well satisfied with the personal pledge which the Chief Secretary gave; but they were extremely dissatisfied with the clause in the Bill to which the right hon. Gentleman had referred them. He should like to hear what the Solicitor General had got to say on the subject as to the meaning of transfer of property. [The SOLICITOR GENERAL here left the House.] What they felt was that this was a most important point, which ought not to be left to the personal pledges or honour of any gentleman, but ought to be made part of the law; and they did not think that the words to which the right hon. Gentleman had referred them had any-

thing in the world to do with the matter. Those words dealt with the transfer of certain property to the Irish Government for the purpose of carrying on their business; they were the mere carrying out of details for the Executive that was constituted in the Act, and were not germane to the matter at all. If this transfer from Dublin to London was to be carried through, it must be carried through by certain words in the Bill. If the right hon. Gentleman did not like this clause, and was willing to put in certain other words, after his statement that would suit them very well; but they would not leave this on the mere assertion of the honour of the right hon. Gentleman. The hon. Member for North Kerry had asked what were the House of Lords going to do? [Mr. SEXTON: I did not.] Well, the hon. Member said that for them to move any Amendment, or press any point of detail, in face of the fact that the House of Lords were going to throw out the Bill, was unreasonable.

MR. SEXTON said, he had pointed out that if the House of Lords intended to pass this Bill the matter would be urgent, but that otherwise it was not urgent.

MR. PARKER SMITH said, the Government made their pledge, and then their friends made the excuse for them that they had not carried it out, because they could not tell what the House of Lords were going to do. That had nothing to do with the matter at all. Their duty, as the House of Commons, was to discuss and carry through these matters, and to get what was right and reasonable put into Bills, without any consideration at all for what was going to happen in another place, otherwise their proceedings would be reduced to a mere farce. The Solicitor General had retired—doubtless for good reasons; but he did not think that, on a legal point of this kind, the Government should be left without Legal Advisers, and the House referred to technical words which had nothing to do with the matter in question. As to the substantially satisfactory assurance of the right hon. Gentleman, they could rely upon that; but as to the technical method of carrying it into effect that was completely worthless.

*Sir H. James*



SIR T. LEA said, the Chief Secretary had referred them to a clause which he had told them carried out the spirit of the Amendment. He wished to ask the right hon. Gentleman was this one of the cases in which the word "may" should be read as "shall"? That was rather an important point. The Chief Secretary had given them a pledge, but they did not know who would occupy the position of Chief Secretary in the days to come. Perhaps it might be the hon. Member for South Donegal (Mr. Mac Neill), who had told them he did not approve of documents being taken from Ireland, and in such a case the word "may" would not be read as "shall."

Question put, and negatived.

MR. THEOBALD (Essex, Romford) rose to move the following new Clause:—

(Flags.)

"That it shall be lawful for the occupier of any premises (without any exception) to hoist and fly over them the Union Jack, and to hoist and fly the Royal Standard over any building (no matter what) where any member of the Royal Family may be at the time."

He remarked that as the Chief Secretary had admitted, in an answer to a question he had put to him, that there was some difficulty in connection with this matter, and as the clause afforded an easy means of meeting it, he hoped that his proposal would be accepted by the Government. He said that questions he had put on this subject had caused some hilarity; but that hilarity was proof that some hon. Members did not understand the importance of the matter—some people looked upon the Union Jack or any other flag simply as a pretty piece of bunting. It was true that it was such, but it was also much more, being the public manifestation of the Imperial power, and ought to be so regarded and valued by all who lived under its protection, and, as such, ought to fly over every portion of the Empire. We, living in our quiet homes, did not attach to the National Flag that importance that was paid to it in the Colonies and other parts of the Empire; and as there were certain places in Ireland where it was illegal to hoist either the Union Jack or the Royal Standard, it was to remedy that anomaly that he had moved the new clause. Nationalist Members from Ireland professed to be firmly attached to

the Union. If so, they ought to be firmly attached to the Union Jack, as it manifested the unity of the seat of Empire, in that it bore the crosses of St. George, St. Patrick, and St. Andrew, and therefore they ought to vote for the clause. But if they voted against it they would know that their professions were worthless. The hon. Member for North Louth had brought in a Bill entitled "Display of Flags," but what those flags were the House knew not. [Mr. T. M. HEALY: The Bill was blocked by your Party.] At any rate, the House did not know what was in the Bill, as it had not been printed. A few minutes ago it had been suggested to him that the flag might bear a representation of a rising sun as emblematic of the aspirations of the Irish Party. But that would hardly suit the requirements of the case, as in a short time, if those aspirations were realised—as no doubt hon. Members from Ireland believed they would be—it would be necessary to portray on the flag the full risen sun in all its splendour enlightening the earth. If he might make a suggestion, he would suggest that they should on their flag have a representation of the Blarney Stone with a broad grin on its face, as this would mark their satisfaction, and they might term it a happy block, or, still better, a Gladstone, in commemoration of Home Rule. At any rate, a great deal of importance attached to a flag, for so long as it floated over a territory it indicated to whom that territory belonged; and this was manifested in the case of the buildings occupied by Ambassadors or Consuls in this or any other country, as those buildings were regarded as ex-territorial, and as belonging to that Power whose flag floated over them. He must say that he failed to see why it should not be legal to hoist the British Flag over any public-house in Ireland, or to hoist the Royal Standard over any building in which a Member of the Royal Family might be staying. At present it was illegal, and consequently the duty of the Executive was to prevent either flag being hoisted. He did not, for a moment, suppose that any British or even Irish Executive would give orders that it should be hauled down. But in Ireland some new official, or one jealous of performing his duty, might, seeing an illegal act about to be com-

mitted, endeavour to prevent that illegal action being performed. Nor would he be wrong in so doing; in fact, his action would be justifiable, and, moreover, if he saw that he alone was unable to prevent the committal of this illegal action, he would be justified in calling on any passers by to assist him. Supposing he called upon an active man passing, who might be the Chief Secretary to the Lord Lieutenant, and also a man of large proportions, who, one would naturally infer, would be able to force a way in a crowd, and who might be the Chancellor of the Exchequer—would they assist him? He inferred not. Then the consequences would be that those two right hon. Gentlemen might have to appear in the police court on the following morning, charged with not having assisted a policeman in the legal execution of his duty after having been called on to assist him. He would be sorry to see the Chancellor of the Exchequer and the Chief Secretary to the Lord Lieutenant occupying such a prominent position, and therefore asked them by their votes to prevent such a possibility.

Clause (Union Flag and Royal Standard,)—(*Mr. Theobald*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*MR. T. M. HEALY* said, in the Statute Law Revision Bill, when it reached the Committee stage, he intended to move the omission of the section to which the hon. Member objected, and he thought he might also move in it the repeal of that Habeas Corpus Clause to which the right hon. Member for Bury (*Sir H. James*) objected. In that way the Statute Law Revision Bill might serve as an outlet to get rid of Amendments on the Home Rule Bill, and would thus be used for a most admirable purpose.

Question put, and negatived.

\**MAJOR DARWIN* (Staffordshire, Lichfield) moved in page 4, after Clause 5, to insert the following Clause:—

(Actions against persons subject to military discipline.)

"No civil action or proceeding whatsoever shall be commenced or prosecuted against anyone subject to military discipline for having refused to give assistance in Ireland when

*Mr. Theobald*

required either by any Civil Authority or in consequence of any civil disturbance, if such refusal is in accordance with military orders issued by the advice of the Secretary of State for War."

He said, the object of the clause was to prevent soldiers being prosecuted in a Civil Court for refusing to give assistance to the Civil power, provided that such refusal was in accordance with military orders. As the law now stood, the Sheriffs, Resident Magistrates, and other officers in Ireland could call upon constables to assist them to execute the law, and no Imperial Executive officer could prevent them being so employed. He believed this Common Law principle existed on the broad ground that every man was bound to assist in maintaining the law of the land. That was the principle on which constables could be called upon to assist in maintaining the law of the land, whatever might be the opinion of the Executive as to the advisability of that law. The employment of soldiers, he believed, rested on the same principles as the employment of constables; and, therefore, it would come about that if the Bill was passed as it was at present framed, the Irish Executive would be able to call upon the soldiery stationed in Ireland to help in maintaining the law, whatever might be the opinion of the Lord Lieutenant as to the advisability of that help, and whatever might be the opinion of the Executive Government of this country. He did not mean to say this would often happen. It might be said that the Irish Executive would not call upon the military to aid if the Imperial power was against that aid being given; but it seemed to him that that was a very feeble assurance to rest upon, and if there was the least chance of the military being called upon to aid in maintaining Irish law, he said that the Imperial Parliament and Executive ought to retain an absolute veto in their hands in order to prevent this power being used if contrary to the will of the Imperial Parliament or Executive. The effect of the clause would simply be that the War Office Orders would over-ride the Common Law rights in this particular. If the prophecies of hon. Members on that (the Government) side of the House came true, if all things went well in Ireland, if she continued in a state of peace and prosperity,

then no alteration in the mode of employment of soldiers would take place, because no special Orders would be issued by the War Office, and everything would go on exactly as heretofore; therefore it seemed to him that no one sitting on that side of the House need view with any great objection this proposed clause. But if the views of the Unionist Members came true, if the Irish Legislature passed Acts which the Imperial Parliament strongly objected to, or if the Irish Executive carried out Acts in an objectionable way, then, as the Bill stood at present, it would be in the power of the Irish Executive, whatever might be the opinion of the Lord Lieutenant or of the Imperial Government, to call on the soldiery to help them in carrying out these laws. It appeared to him monstrous that the Parliament should provide soldiers liable to carry out laws over which this Parliament would have absolutely no control. If, however, this clause were accepted, and the Irish Legislature did proceed to legislate in an objectionable way, then the War Minister would issue Orders which would prevent the soldiers acting. An important result which would follow from the acceptance of the clause would be that there would always be in this House a Minister responsible for the use of the troops in Ireland. It was most necessary, if they were to maintain complete Imperial supremacy over the troops in Ireland, that they must have a Minister here responsible for their use. He should like to look at this question from the point of view of the soldier. It did not, he thought, require much imagination to see that the position of the soldier in Ireland after the passing of this Bill might, under certain circumstances, become intolerable; therefore it was not unreasonable to demand that he should receive some consideration. The soldier, like any other servant, was bound either to obey his master or leave the Service. The question was, who would be his master if this Bill were passed? He believed the Prime Minister had used words to the effect that he would put as much power over the soldiery into the hands of the Lord Lieutenant as he conveniently could. He could not but believe that the Lord Lieutenant, in his dealings with the Army, must be greatly influenced by the Irish Executive; and therefore it would come about under the Bill that the

soldiers serving in Ireland would practically be serving two masters—namely, partly the Imperial and partly the Irish Executive. If both these masters were in accord, and the soldier felt aggrieved as to the duty he had to perform, his only Constitutional course was to retire or buy out, or obey. But, at all events, he thought the soldier could demand this—that if the Imperial and Irish Executive differed as to what was right to be done, he should not then be called upon to act. He had been enlisted to serve the Imperial Executive, and he said there was no moral right—whatever legal right there might be—to transfer his allegiance to the Irish Executive in any sort of way. This appeared to him the consideration the soldier ought to receive under this Home Rule Bill. He was prepared to admit that this was a secondary point, and that the soldier was made for the State and not the State for the soldier. But his main argument was that the Imperial Parliament paid and organised the Army; it paid the Army stationed in Ireland; it put this great weapon into the hands of the Irish Executive; and it seemed to him, under these circumstances, that whatever might be the law, this Parliament would remain morally responsible for the employment of these soldiers in Ireland; and, that being so, they ought certainly to see that they remained masters of the situation. He admitted that, under certain circumstances, it was necessary that the Magistrates and others in Ireland should have the power of calling on the troops in case of sudden emergency. He did not wish to take away that power, which would be specially necessary in future, when the Constabulary were abolished; and he could not help thinking that one of the reasons why the Government had decided on the abolition of the Constabulary was that they thought such an Imperial force ought not to be placed at the disposal of the Irish Executive without check. He considered the same argument applied to the clause he was now proposing. If a Bill of this sort was properly framed, it ought to fulfil three conditions. In the first place, he thought that the Civil power, under ordinary circumstances, ought to have authority to call on the soldiery for help; in the second place, if the soldiery did help, the Irish Executive

ought to share the responsibility with the Imperial Executive; and, in the third place, the help ought only to be given if the Imperial Executive considered the help was justified. The Bill as it at present stood did not fulfil the third condition, and the clause he was now proposing was in order to insure that the help given by the soldiery in Ireland was only given when the Imperial Executive considered it right. It might be urged against that clause that when a soldier went on duty of this sort he went as a civilian. Take the case of half a company ordered to the assistance of the Civil power, and the officer refusing to go. His trial in the Civil Court would depend upon the principle of Civil Law that he, as a civilian, was bound to assist. But what about the other 49 men marching under his orders? A soldier, when he was aiding the Civil power, was on active service—that was to say, he was under an exceptionally severe Code of military discipline. Could anybody contend that in such circumstances they went as civilians? The idea was too absurd to be seriously put forward as an argument. Again, it might be said there was no similar veto in England; but he, for one, would be perfectly willing to have a similar veto here. In England the law was that a soldier, who was under the control of Parliament, could be called upon to carry out the laws laid down by Parliament; but it appeared to him that in Ireland they were to pay soldiers to carry out laws over which they would have no control whatever. Possibly he would be reminded of the self-governing Colonies. There were only two places—Nova Scotia and the Cape of Good Hope—at which soldiers existed under an independent government. But even here the analogy with Ireland failed; those places were distant from England; there were sufficient local forces for carrying out the mandates of the local executive; and, above all, in those colonies, it had not been the habit to call on the troops to give assistance to the Civil power. It might be that the phrase “military discipline” in the clause should be “military law”; his meaning was clear, he thought, as he meant those who were subject to military law. He should press this clause upon the Government as a safeguard for the soldier, and still

*Major Darwin*

more because it insured the presence in that House of a Minister who would be actually responsible for the employment of the troops in Ireland. The clause would, in fact, make Parliament responsible. He could not think that Government wished to maintain an Army in Ireland for the enforcement of laws passed by the Irish Parliament without having a thoroughly effective veto upon their employment. These considerations weighed with him in bringing forward the clause which he now begged to move.

Clause (Actions against persons subject to military discipline,)—(*Major Darwin*,)—brought up, and read the first time.

Motion made, and Question proposed, “That the Clause be read a second time.

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, they sometimes heard a great deal about their interference with the Constitution of the United Kingdom. [*Cheers.*] Hon. Gentlemen who cheered that statement did not appear to know that the proposal contained in the clause which the hon. and gallant Member had moved would be one of the greatest interferences with the Constitution of the country that could be proposed. For a military man to demand protection was the most natural thing in the world. It would be a very convenient thing if every man under military orders could be told exactly what to do in all circumstances of life; as it would be very convenient for anyone not under military orders. But in cases of civil disturbance, such as were supposed here, there were much greater difficulties imposed upon all of them. They were bound to exercise a right judgment, and to act in accordance with what their duty as subjects of the Queen might demand of them. Whether they were under military law for certain purposes or whether they were not, every man, in case of civil disturbance, was in a very difficult position. It might be his duty to cut off a head or two; and if he did so he might be tried for murder, while if he did not do it he might also be tried for a very serious offence—that of the criminal neglect of his duty. The difficulty was inherent in the nature of the case. Why should a soldier be in a



better position than anyone else? There was considerable practical difficulty. To say that a Secretary of State should by his own *fiat* declare that a certain number of Her Majesty's subjects should be relieved of all responsibility in the case of civil disturbance would be to inflict a grievous blow on the Constitution. Different lawyers—lawyers of the highest eminence—had come to the conclusion that it was a difficult position for a member of the Military Service; but the law had always held that the difficulties must be faced, because a man who served the Queen in a military capacity could not be absolved from the duties of the citizen. Until this Amendment came before him, he had never heard it suggested that a Secretary of State should take upon himself the task of absolving a military servant of the Crown from a difficult responsibility.

\*MR. MATTHEWS (Birmingham, E.) said, the hon. and learned Gentleman had hardly thrown upon a difficult subject the amount of light that they had expected. He might have made the picture darker in the case of a military man, because, as they knew, if he went out and took part in the quelling of a disturbance, he might be tried for murder; whereas, if he refused, he might be shot for disobedience to his superior officer. He wished the Solicitor General had told them whether it was the duty of the citizen—an ordinary citizen of the Queen—to go out with gun, bayonet, and sword to quell a disturbance. He believed it was not; he believed the whole extent of the duty of a citizen was to go out as he was—all naked—unarmed. The State did not call upon him to use deadly weapons, nor did it call upon the soldier to do this. He should like to have had a little light upon what seemed to be a difficult question—whether there was really any obligation on a military force to go out as an organised force, under the command of officers, obeying the word of command, and moving as a disciplined and organised body. It had happened to him once or twice, while in Office, to have to call out the military power in aid of the Civil power in the Metropolis; but he confessed he always regarded it as a matter of extremely questionable legality to call upon a body of military men to go out armed with deadly weapons as a disciplined force,

and not to go out simply as individual citizens to discharge the duty which attached to each one individually. The duty of the citizen lay upon the soldier, and no more; and he doubted whether they were not acting on their own responsibility in going out as a joint and organised force. Those doubts he could not help having, and he thought neither could others, so long as they had an Imperial force which was there for Imperial purposes. It did not meet the case to say that these men were in the position of a military force, acting under the orders of a superior officer. He was sure he hoped that the future of Ireland would be a peaceable future, and that there would be no necessity for the use of such measures as military force. At the same time, he knew that blood there was warmer than it was here, and that there was a tendency to appeal to military. Indeed, the first thing that struck a visitor to that country was the manner in which the military were called upon in cases of disturbance in Ireland. Conflicts might arise where the military would be used where they were not used here; but, for his part, he was of opinion that the calling out of the military to put down disturbance was a thing not to be encouraged, but to be discouraged. It was a very serious matter to permit any infraction of Constitutional right by the use of an organised body of armed men. He thought that the Amendment, which proposed that the Secretary of State should have a controlling voice, was not unreasonable. There was no necessity to throw on individual soldiers the responsibility of deciding how or when they should assist the Civil power; and the Solicitor General might have given them some information, or tried to show how far the duty rested upon a military force to act as an organised force in such cases as had been mentioned.

COLONEL NOLAN (Galway, N.) said, he had imagined the right hon. Gentleman (Mr. Matthews) rose to give them some assistance; but it seemed, from what he had said, that his only object was to get another speech from the Solicitor General. They found, however, that the right hon. Gentleman and the Solicitor General, both eminent lawyers, differed over the Amendment as to the position of the soldier. It occurred to

him that, unless Lord Wolseley issued a special Irish edition of his *Soldier's Companion*, the soldier would be placed in a difficult position if the Amendment were adopted. The Amendment affected the Constitution of the country, and, if it were agreed to, the orders to soldiers would be revolutionised. The Amendment aimed at superseding the custom which had been always recognised, and to throw the whole responsibility upon the Minister. He thought the hon. and gallant Gentleman did not know what the effect of his Amendment would be. The Secretary of State could not give any military orders, and he should not be entrusted with any such power. It was a curious fact, if the contention of the late Home Secretary (Mr. Matthews), who once allowed himself to be returned by an Irish constituency, was correct, that the military were more frequently used in England than in Ireland. The last case in this country was at Hull, and then the Secretary of State had no responsibility—the responsibility belonged to the Magistrates. Southampton was another case in which Magistrates acted, and not the Secretary of State. Here they would propose to let everyone construe for themselves; and the result would be to injure discipline and put the Irish Government at the mercy of the Secretary for War. The hon. and gallant Member would not only revolutionise everything in Ireland, but in England also, for he said he would be willing to see this provision extended to England. He (Colonel Nolan) thought the Constitution in England was a tolerably good one; it had taken a long time to manufacture, but in Ireland it was an extremely bad one. He could not support the Amendment.

MAJOR RASCH (Essex, S.E.) said, he could not accept the view of the Solicitor General on this matter, and he would support the Amendment. The system by which the soldier was tried in the past was disagreeable, but it would be worse in the future if he had to come to the assistance of the Civil power in Ireland. His life, indeed, would not be a happy one. He could only say that, having had some experience of Ireland, he should like to see the Amendment pressed to a Division.

SIR H. JAMES (Bury, Lancashire) said, he thought the intention of the

*Colonel Nolan*

clause was very clear. They were about to establish an Irish Legislature, and under it the Civil power in Ireland was to become paramount to carry out the law of the Irish Legislature, and to have the power of ordering Imperial troops to carry out such law as the Irish Executive might think fit. British officers would be placed in the position either of disobeying the orders of the Secretary of State for War or of the Irish Executive. If British officers disobeyed the Irish Executive they would be liable to a personal action, and if they disobeyed the Secretary for War they would be liable to Court Martial.

COLONEL NOLAN: The Secretary of State cannot give a military order.

SIR H. JAMES said, the hon. and gallant Gentleman was not correct. If he would listen for a moment he would hear. The Secretary of State could give advice to issue an Order, and if he advised it, it would be issued. It would be a Military Order issued on his advice, as contemplated by the terms of the clause. That was the position they had to deal with.

An hon. MEMBER: Does that exist in England?

SIR H. JAMES said, it did. The Secretary of State was controlled by Parliament. Now they proposed to establish a different state of things. It seemed to him impossible that they could avoid adopting some such Amendment as this. The Solicitor General had not touched upon the question at all. The point raised by the Amendment was a most important one, and should be dealt with in the most adequate manner.

MR. CARSON (Dublin University) said, he thought the subject had not been dealt with by the Government with that amount of consideration which it deserved. Any question as to the relations between the Civil power and the military forces of the Crown must be one of the greatest delicacy, and he would like to know what relation was to exist when they had established a separate Legislature in Ireland. They had heard it stated that they had ample security on the point in Ireland. But where was there an example in any portion of the Kingdom or of the Empire according to which a Magistrate appointed by one Government had the right to call out the

military forces of another Government? That was the question raised by the Amendment, and, unless some such proposal as this was adopted, he did not hesitate to say that, in his opinion, the management of the troops in Ireland would be absolutely impossible. They must remember that the Irish Magistrates were to be appointed by the Irish Executive; and the Amendment was to provide that when a British officer acted under the Irish Executive and was compelled to obey the Irish Magistrate there ought to be no civil remedy as against such officer. It was clear that the handling of the troops in Ireland would be an impossible task if, when an order was given in Ireland, an officer was to proceed to inquire whether such an order was Constitutional. It was no answer for the Solicitor General to picture the existing difficulties. Those difficulties would be increased tenfold if they were to act as proposed by the Government—under the system that would prevail in Ireland. He hoped some other answer more worthy of the importance of the question would be given.

MR. W. E. GLADSTONE: It appears to me that the argument of the hon. and learned Gentleman is defective in the most elementary considerations. The hon. and learned Gentleman has contended that officers or Magistrates appointed by one Government are to have the power of calling out the military forces of another Government. Can he show how anything of the kind can occur under this Bill when it becomes law? We have heard the question raised as to the right and duty of every citizen to support the law and maintain public order even, if necessary, by the use of force. The question is, What are we going to do under the present Bill? We have placed the military forces under the command of the Viceroy, and the Commission given to him makes him, and nobody else, the judge of what should be done by the military forces in support of civil order. The difficulties which arise under the Common Law, if they exist, will not exist under this Bill or in anything contained in it, and I would ask the hon. and learned Gentleman (Mr. Carson) where he can find the material for defending the extraordinary proposition that under this measure the officers appointed by one Government are to be

at the disposal of officers appointed by another Government? It is quite obvious that the question raised in the extraordinary proposition of the hon. and learned Gentleman, so far as it is relevant at all, is a question that will arise in every one of our colonies that has responsible self-government. In the case of this Bill we deal with the legitimate action of the Executive under the Commission of the Lord Lieutenant, which gives him, as Her Majesty's Governor General,

“Power and authority to give such orders and directions to the Commander of the Forces for the time being in Ireland as he, our Governor General, may judge necessary for the support of the Civil authority, the protection of our Revenue,”

and other purposes. It is consequently to the Governor General, and not to the Irish Executive apart from the Governor General, that this power is given. Under these circumstances, I think the hon. and learned Gentleman must see that unless he brings forward very different considerations the ground is cut from under his feet.

MR. A. J. BALFOUR: There is in this Debate extreme difficulty in discovering what the law really is on the subject, and also as to what policy we ought to pursue. The learned Solicitor General alluded to Common Law, but I would ask the House to come back from the mysteries of Common Law and look at the matter in the light of common sense. The Solicitor General has said that every individual, as a citizen, is bound to come out and support the Magistrates in keeping order. A soldier is an individual and a citizen; no doubt he is bound to come out, “and no doubt,” said the Solicitor General,

“When he does come out at the order of the Civil authority, he is in a very embarrassing position. He may be shot if he does one thing, and he may be hanged if he does the other.”

That is an extraordinary position for the soldier—who is also an ordinary citizen—to be in, and this Bill does nothing to extract him from it. The Common Law, according to the hon. and learned Gentleman, has very little to do with the question before the House. The late Home Secretary differs in his view of the Common Law from the version given by the Solicitor General, and that was to be expected, because my experience of debate has been that whenever a learned lawyer expounds a doctrine, another learned

lawyer is sure to get up and contradict him. We may put aside the subtle and almost metaphysical question whether a soldier acting in his capacity of citizen has to go out with or without arms and accoutrements. The Solicitor General says he can come out with arms, and form part of a Regular Army. My hon. and learned Friend admits that every citizen is bound to support the law, but says he is not bound to support it with all the arms he can lay his hands upon. Between the versions of the Common Law given by the Solicitor General, on the one hand, and by the late Home Secretary, on the other, the House may well pause and hesitate. But the House has to consider the matter from the point of view of the soldier and also from the point of view of public policy. From the soldier's point of view, I think it would be an extreme hardship, as my hon. and learned Friend near me has pointed out, that he might be called upon by a Magistrate to come forward and support a law or Act of the Irish Legislature which might turn out in the long run to be no law at all, and for which there might be no defence. It is a hard case to put the soldier in that position, and all the harder for the reason that when a civilian has to decide these embarrassing and complicated problems which the Solicitor General has put before the House, he decides them for himself, and is bound by that decision; but the unfortunate soldier is obliged to obey his commanding officer. He is not allowed to think for himself; and if the commanding officer does not think successfully for him, he is liable to all the pains and penalties attaching to those who show too much zeal in carrying out a law which is no law at all. But it is the question of public policy which I regard as of far more importance. We have to reflect that the Army of the Queen is and must remain at the orders of Her Majesty and of those who are directly responsible to Her Majesty, and that they should act as the Central Government, and the Central Government alone, may, in the long run, determine. No doubt, they may act through the Magistrates. We are responsible in this Central Parliament for having produced a disciplined force, and we are responsible for the way in which this force shall be used. Would that be the case if the

*Mr. A. J. Balfour*

Home Rule Bill should pass? The British Government pays for, organises, and directs the Military Forces, and the only man responsible for the manner in which the Army is used is the Secretary of State for War, who sits in the House of Commons and not in the Irish Assembly. He is the only person whose action can be criticised, whose salary can be reduced, and whose Government can be turned out of Office. If these powers were handed over to the Irish Government—

**MR. J. MORLEY :** We are not going to hand them over.

**MR. A. J. BALFOUR :** They will be handed over to the Lord Lieutenant.

**MR. J. MORLEY :** That is done now.

**MR. A. J. BALFOUR :** But the Lord Lieutenant now is a Lord Lieutenant of the United Kingdom. He will not be so in future. He will not be responsible to this Parliament. The new Lord Lieutenant will only be responsible to this Parliament when the British Government has declared that the Lord Lieutenant shall obey the orders of the British Executive. What words are there in the Act to show that the Lord Lieutenant, in giving orders to the military, is responsible to the British Parliament?

**MR. J. MORLEY :** The words of his Commission.

**MR. W. E. GLADSTONE :** I read the words to the House.

**MR. A. J. BALFOUR :** Are the Government prepared to introduce an Amendment declaring that the Lord Lieutenant, in as far as he gives any directions to the Army—assuming it to be true that he does give directions to the Army and that proposition is disputed by many authorities—acts as an officer of the English Executive and not of the Irish Executive?

**MR. W. E. GLADSTONE :** Passing this Bill will not alter the prerogatives of the Crown.

**MR. A. J. BALFOUR :** It is not a question of a prerogative of the Crown, but of the discretion of the Lord Lieutenant, who is called upon to play two parts. In some circumstances he is to act on the advice of the Irish Executive, and in other circumstances possibly in direct opposition to the advice of the Irish Executive and in obedience to the



British Cabinet. In which capacity is he to have the direction of the Army? That is a plain question, and it is not decided by the terms of the Commission now issued to the Lord Lieutenant—and if it were, the terms might be altered at any moment. The thing ought to be on permanent record in the Bill. The Government will admit that this is a point of first-rate importance. Is the Lord Lieutenant, in dealing with the Army in Ireland, to take advice from the English or the Irish Cabinet?

MR. W. E. GLADSTONE : From the Imperial.

MR. A. J. BALFOUR : Then it will be in the power of the Lord Lieutenant to issue a General Order that no Irish Magistrate shall be able to call out troops. [*Cries of "No!"*] If the Lord Lieutenant has not that power, what is the relevance of the speech just made by the Prime Minister? The whole point of it was that these powers are vested in the Lord Lieutenant, and that we need not trouble ourselves about them. It now appears that power is not vested in the Lord Lieutenant to carry out the object of this clause. I do not understand what the position of the Government is in the matter, and I doubt if the Government themselves have fully made up their minds. But I leave that question—which must be determined before the Debate closes.

MR. W. E. GLADSTONE : The right hon. Gentleman often says that I cannot make myself intelligible; but the Commission can make itself intelligible, and I read out from it the words which place the Army explicitly and exclusively under the Viceroy, who, in giving directions to the Army, is discharging an Imperial and not an Irish function.

MR. A. J. BALFOUR : Do the Government, or do they not, hold that the Commission, whatever its character, and whatever the powers conferred by it on the Lord Lieutenant, give the power to carry out the objects of the clause?

MR. W. E. GLADSTONE : I speak not of the clause, but of the powers existing in the law.

MR. A. J. BALFOUR : The question cannot arise at present, but it will in the future. I want to know whether the powers are such that they will enable the Lord Lieutenant to carry out the objects of the clause? I now pass from the

Lord Lieutenant to the Magistrates. They are supposed to have a legal right to call out the military irrespective of the Lord Lieutenant and his Commission. We think that Magistrates appointed by the Home Rule Government ought not to have the power. We say not only that it is not fair to the soldier to punish him for obeying instructions, but that it is inexpedient to give to the Irish Executive or the Irish Magistrates the power of employing purely British forces, the Minister responsible for which sits in the British Parliament, for any purposes they may think proper. This is not a question of Common Law, but of policy, and on the merits of that question I entertain no doubt at all. Whether the Amendment adequately carries out the object of my hon. Friend I do not undertake to say, as we are only on the Second Reading of the clause. It is not a question for lawyers to deal with at all. It is a question of high policy whether an Executive over which the British Parliament has no control and Magistrates which it does not appoint are to have the power of employing the organised military forces of the Crown in a manner in which possibly, and even in certain contingencies probably, this House might highly disapprove.

MR. BYRNE (Essex, Walthamstow) said, he wished to refer to a point taken by the Solicitor General—a point which could be met by the simplest addition to the clause. The clause ran as follows:—

“No civil action or proceeding whatsoever shall be commenced or prosecuted against anyone subject to military discipline for having refused to give assistance in Ireland when required either by any Civil Authority or in consequence of any civil disturbance.”

and so on. The hon. and learned Member's objection would be met by making the latter part of the clause read—

“Not having refused ‘in his military capacity,’ to give assistance,” &c.

That was what the clause meant beyond any possibility of a doubt. The whole question that lay at the root of this matter was which Executive was to be responsible for the movement of troops in Ireland? If anything illegal was done in this respect who was to be held accountable? In his opinion, it ought to be an Imperial official, who should be responsible to the Imperial Government

and to that House. So far as he could see, there was no clause in the Bill to the effect that in disposing of troops the Lord Lieutenant should act only on the advice of the Imperial Executive. If a difficulty arose with the Civil authority in Ireland—if the Cork Magistrates demanded military assistance to put down a disturbance in Cork, and if the Belfast Magistrates made a similar demand for Belfast, who would be held responsible for granting or refusing such assistance? The question should be placed beyond all possibility of doubt in the manner he had described. Soldiers should not be liable to civil action if they could show that they had acted in accordance with General Orders laid down by responsible Executive Ministers in the Imperial Parliament. It appeared to him that the clause was one which could do no harm to anyone. If the Government, however, found themselves unable to accept it, they themselves should introduce one giving an indemnity to military men who should merely carry out the orders of the proper Military authority.

\*MR. BLAKE (Longford, S.) : I venture to suggest that, under the Act, the Army is placed distinctively outside the legislative control of the Irish Legislature—and I say the Army in the widest sense in which that word is used: Volunteers, Militia, and so forth. It follows from that that the Executive authority which is to be exercised with reference to the Army as a military force is to be exercised upon the instructions and the responsibility of the Imperial Government. To the extent to which the Crown and the Executive authority is represented in Ireland its representative acts. Therefore, in that regard, upon that responsibility and under those instructions, and, as has been before observed with reference to other questions which have been raised, the truth is that Parliament is reserving to itself under the scheme of this Bill the method by which that Executive authority shall be exercised, and the restrictions which shall be created. The prerogatives of the Crown to be delegated to the Viceroy are prerogatives to be delegated in a form, upon instructions, and after a fashion to be hereafter framed by the Imperial Executive, for its action in respect to which it is to be responsible to this House, who can control the action,

*Mr. Byrne*

who can modify and change the Commission. It certainly does seem to me to follow, from the new state of things which is created by the proposed Bill, that there will be a necessary intervention of Imperial authority through the Viceroy acting upon Imperial instructions in case the military be requisitioned in their military capacity by the Civil authority in Ireland. It seems to me that there flows from the restriction which keeps all the military forces under the Executive control of the Imperial authority, the view that if they are wanted as soldiers to preserve the peace in Ireland they must be requisitioned from the Imperial officer, the Viceroy; and the Viceroy, in determining whether they are to be given or not, must act upon the responsibility and the instructions of an Imperial Minister. That seems the only solution of the question. It may leave the question, as it concerns the preservation of the peace in certain grave contingencies in Ireland, in a position not wholly satisfactory, but certainly not from the point of view of those who are creating these difficulties, but rather from the point of view of those who may conceive that the time required and the formalities necessary before the troops are obtained may be too lengthy and complicated. That it follows from the proposition that the forces are under Imperial control, that an Imperial officer under Imperial advice is the authority under which the forces must be called into the field, seems to me to be absolutely clear.

MR. J. CHAMBERLAIN : The statement made by the hon. Member for Longford — like that of the Prime Minister—will be satisfactory if only it is correct. But I do not think the hon. Member and the right hon. Gentleman have appreciated the point which we are endeavouring to put before the House. Let us first take the answer of the right hon. Gentleman. He has said that by Clause 5 of the Bill the Executive power of the Queen is to be delegated to the Lord Lieutenant by Her Majesty, and that the terms of such delegation are to be laid before both Houses of Parliament. The Commission will, therefore, contain all the powers delegated to the Lord Lieutenant as to the control of the military forces. The right hon. Gentleman says that the Lord Lieutenant, who will be, of course, responsible not only in his

own person, but, in regard to the Commission he has from this House, will have full control over the military forces. I will test that by a concrete instance. Suppose that, after the passing of Home Rule, a disturbance breaks out in Cork. In Cork there is a military garrison. The Civil authority calls on the commanding officer of the military garrison there to assist in suppressing the disturbance. I assume that, as in this country, the commanding officer will telegraph to headquarters—to the Commander-in-Chief or to the Lord Lieutenant. Supposing the Lord Lieutenant, considering all the circumstances, thinks it is a case in which the military power is not required, and accordingly telegraphs back informing the commanding officer that he is not to assist the Civil power, the first question I ask the Government is whether, in their view, the Military authority can in these circumstances refuse to assist the Civil power? If the Commander-in-Chief himself were in Cork at the time, would he refuse to put the military power at the disposal of the Civil power? Grant that all the powers of the Queen had been reserved to the Lord Lieutenant, and that the mission of the Lord Lieutenant came from this House, but suppose that he was in conflict with the Civil authority, does the right hon. Gentleman mean to say that the Commander of the military garrison could refuse assistance? If there is anything in the argument of the Prime Minister the Military authority ought to be able to refuse assistance; otherwise there is no security in the Commission or in the delegated authority to the Lord Lieutenant. If the Lord Lieutenant himself is powerless, even after he has received our Commission, what is the good of appealing to him if by the Common Law of the land the Military authority must assist the Civil power whether the Lord Lieutenant approves of it or not? In the second place, I ask whether, supposing the commanding officer obeys the Lord Lieutenant, an action would not lie against him for refusing to assist the Civil power? Can he legally refuse assistance? Recently the Chief Secretary refused the assistance of the police to the Civil authority; but when the matter came before the Courts, the right hon. Gentleman was held to be wrong, and was told that he was personally responsible,

and that he might be brought up under some form of law and condemned for having interfered between the execution of the law and the Civil authority. If that is so, does not the same law apply to the Military authority as to the police? Is not the law the same, whether it affects the policeman, the civilian, or the soldier? Are they not all bound to obey the Civil authority? I venture to submit that it is only by some such clause as that proposed that the Military authority can be protected from the consequence of obeying the orders of the Lord Lieutenant. Surely it is absurd that we should waste our time in considering that Commission of the Lord Lieutenant if the Commission is to be waste paper from the time it is signed, and to have no real authority whatsoever—and not to be in itself sufficient to protect those who obey it from the ordinary process of law. I do hope the Government will give us their view of this case. If they think, as I understand they do think, that the Military authority ought only to be moved with the assent and approval of the Lord Lieutenant, will they tell us whether or not under this Bill that object has been secured, because it certainly appears to me, according to the law laid down by the Solicitor General, that it has not been secured.

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL - BANNERMAN, Stirling, &c.): I am not a lawyer any more than the right hon. Gentleman, and I am, therefore, little qualified to instruct the House on the special legal aspect of this case. The right hon. Gentleman has very properly and wisely given a concrete instance. He asked what would happen if a disturbance broke out in Cork and the Civil power called on the officer commanding the troops for assistance. My answer is, precisely the same thing as would happen if the disturbance occurred at Birmingham. Speaking from some study of the legal aspect of the question, I wish it to be understood that on such an occasion the troops act not as troops, but in their capacity of armed citizens. It is the duty of every citizen to assist in maintaining the peace, and it is a handy thing, to say the least of it, to be able to call out citizens who possess the advantage of being armed and trained. That is literally, I believe, the legal aspect of

the case. In Ireland, under the new system, the circumstances will be precisely the same as they are at present both in Ireland and in England. The Lord Lieutenant has had full powers under the Commission that my right hon. Friend has read out, so that he has complete authority over the troops precisely as the supreme Military authority has in this country. I am at a loss to imagine where the difficulty arises. My right hon. Friend imagines all sorts of contingencies arising. He has suggested that the Civil authority might unreasonably call upon the troops for assistance. The officer commanding the troops on the spot has, of course, a very grave responsibility. It has been found to be so in cases which have occurred. There was the case of the Bristol riots, and there was the more recent case of the collision that took place at Six-Mile-Bridge, where, if I remember rightly, either one officer was charged with two offences or two officers were charged each with one offence—the one offence being that he did too much, and the other that he did too little. It is subject to that unfortunate contingency of responsibility, that every officer must act, and the officer in charge at Cork must take the responsibility after the passing of this Bill just as he does now.

**MR. J. CHAMBERLAIN:** My right hon. Friend has not answered my question. Could the Military authorities, whether at Birmingham or Cork, legally refuse to obey the orders of the Civil authority?

**\*MR. CAMPBELL-BANNERMAN:** On their own responsibility, I take it that they might.

**MR. TOMLINSON** (Preston) said, the subject did not seem to him to get clearer as the Debate proceeded, and as explanation after explanation was given by Members of the Government. The Solicitor General had rested his case entirely on the duty of the troops as subjects of the Queen to render assistance in their civilian capacity. Since that time the Debate had turned on quite a different question—namely, the power given to the Lord Lieutenant by his Commission. For his own part, he was certain that some such clause as this was required. He hoped that, in view of the difficulties that had been suggested in

the course of the Debate, the Government, if they did not themselves suggest some Amendment to one of the clauses, in the event of the new clause being rejected, would at least look favourably upon Amendments on the subject.

**MAJOR-GENERAL GOLDSWORTHY** (Hammersmith) said, he had already called the attention of the Government to the great necessity there would be to be careful in handling the troops in Ireland. He had done so in the best interests of peace. If a clause like that before the House were not adopted, the troops would be practically brought under the control of the Local Authorities, and he thought that was very much to be deprecated. The Secretary of State for War was quite content that the officers should be left with the chance of a halter on the one side and the chance of a bullet on the other. He (General Goldsworthy) was not content that the officers in Ireland should be left at the mercy of the local authority, and he thought it would be wise if the Government could see their way to accepting some clause of the kind proposed, amended as suggested by the hon. and learned Member for Walthamstow (Mr. Byrne). If this Bill passed, the troubles of the Government only began; and unless they took every opportunity to protect the military they would find themselves in a mess.

**MR. COURTNEY** (Cornwall, Bodmin) said, he did not know whether he expressed the opinions of any other Members, but he was afraid they had not quite got to the bottom of this question. He could not help expressing his regret that they were not discussing this point in Committee, so that they might then have had a repetition or a completion of the statement made by his right hon. Friend the Secretary of State for War (Mr. Campbell-Bannerman). He, like his right hon. Friend, would take the illustration of Birmingham instead of Cork. Suppose a tumult arose in Birmingham, and that the Mayor required the officer of troops near the town to come to his assistance; but the officer declined to do so. His right hon. Friend said he could do so on his own responsibility, and must take the consequences of any action brought against him for his refusal. The point which he (Mr. Courtney) wished to put, and which

*Mr. Campbell-Bannerman*



was really the point of this question, was—Could the responsible officer in question be absolved by superior orders from the Home Secretary?

MR. ASQUITH: No.

MR. COURTNEY said, his right hon. Friend said distinctly not; but that was the real question which his right hon. Friend the Secretary of State for War did not touch. He might say, in reference to the observation of the Home Secretary, that *Todd* said that, as far as regarded the movements of the Regular Army, the Militia, and the Volunteer Forces, the authority of the Home Secretary was superseded in 1854 by that of the Secretary of State for War. In the cases of riots or tumults the Home Secretary had the duty of conveying Her Majesty's commands to the officers in charge of districts, placing them under the control of Magistrates and directing them how to act. It followed that the Home Secretary would really have the power to order an officer in charge of a district to disobey a requisition put upon him by a Magistrate. Could the Lord Lieutenant absolve an officer in command of a district by giving him direct authority not to obey a requisition from the Civil authority? As the Home Secretary had not spoken he would, of course, have the power of replying to him, and he hoped his right hon. Friend would inform the House what would be the position of the Lord Lieutenant in the event of a requisition being made to an officer in charge of a district to direct that officer not to obey the requisition. The Lord Lieutenant was at the present time directly responsible to the Home Government; but what they were anxious to know was what responsibility would attach to him in the future under this Bill?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The speech of my right hon. Friend the Member for Bodmin (Mr. Courtney), I think, clearly shows to the House that, under the guise of debating a special clause of this Bill, we are discussing a question which has no special relevance to the future government of Ireland. [*Cries of "No!"*] Hon. Gentlemen say "No, no!" but that was my right hon. Friend's own position, for he accepted the illustration given by

the Secretary of State for War, and admitted, for the purposes of his argument, that the question would be identical, whether it arose at Birmingham to-day or in Cork after the passing of this Bill.

MR. COURTNEY: I said the question would be the same to-day; but I pointed out that in the future, when this Bill passed, it would not be so.

\*MR. ASQUITH: My right hon. Friend then devoted the whole of his speech, except the concluding sentence, to the discussion of the question of what would be the case to-day, and he has not given the House the very faintest guidance as to what difference the passing of this Bill would make. I desire to state, not in any controversial spirit, what I conceive to be the position under the law as it at present stands, and I would express my own opinion that the law will not be changed in the slightest possible degree by the passing of this Bill, and that the responsibility of a military force for the preservation of the peace when called upon by the Civil authority will be no greater and no less in Ireland under this Bill than it is now in this country. What is the law? The military, in such cases, do not stand in any exceptional or differentiated position. When a tumult arises, when the peace is threatened, when public order is in danger of being disturbed, it is the duty of the Civil authority, as it is their power, to call upon all citizens, be they armed or not, to take their part in preventing or repressing disorder. I do not deny that in one respect the armed citizen stands in a different position from the unarmed citizen, not because he is subject to military discipline, not because he is bound to obey superior orders, and least of all because he can shelter himself under some extra-legal authority, but merely because, by possessing arms and belonging to a disciplined body, he is in a better position for discharging the duty he is called upon to perform than an ordinary citizen. [*A laugh.*] I do not know why that observation should excite the ridicule of one of the hon. Members for Sheffield opposite. I am stating what I believe to be an elementary, common-place, and even a platitude of Constitutional Law. Let us suppose this state of

things to arise: A tumult is threatened, and the Civil authority calls upon a military force to intervene. The officer in command of that force takes upon himself the responsibility either of obeying or disobeying the summons addressed to him. Does either my right hon. Friend (Mr. Courtney) or my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) mean to say that the responsibility of the military authority can in the slightest degree be qualified or mitigated by a reference to head-quarters? Not in the least. I should say, as one who has had some small experience in this matter, that it does not matter in the smallest degree whether the military officer refers to the War Office or the Home Office or the Lord Lieutenant, because in the last resort the question has to be tried before a jury, and the question the Judge would leave to the jury would not be whether the officer had the sheltering command of a superior authority, but whether, having regard to the surrounding conditions, he did or did not perform the duty which the law casts upon every citizen. What difference does it make when the authority—from which, I admit, he may obtain useful and even authoritative advice—is the Home Secretary or the Lord Lieutenant? It would not qualify, or add to, or subtract from the responsibility which the law casts upon him as a citizen. What is the principle which we are now asked to adopt by the clause, almost, I venture to say, for the first time in the history of the British Parliament? It is that we are to take away the responsibility which the law casts upon the military man no less than upon the civilian, the responsibility of exercising his own judgment, under the particular circumstances of the case, for the maintenance of the law, and to clothe him with an immunity which Parliament has always refused to sanction, and to allow him to set up the plea in excuse for failure or excess of duty that he acted under the orders of a superior military authority. That is one of the most reactionary and un-Constitutional proposals that has ever been submitted to the House. The Government asks the House to leave the law as it now stands alike in England and Ireland, under which the officer exercises his own judgment, subject to his own

*Mr. Asquith*

responsibility, with due regard to the particular circumstances of every case, leaving the question when it arises to the decision of the Courts of Law. We refuse to clothe the military power, either in Ireland or in any other part of the Empire, with this extra-Constitutional safeguard which Parliament has never sanctioned and, we trust, never will sanction.

SIR R. WEBSTER (Isle of Wight): So many complimentary allusions have been made to lawyers in this Debate that I should have hesitated to address the House; but as there is a difference between the Home Secretary and myself on the law of the matter, I may be able, perhaps, to render some slight assistance. I think the speech of the right hon. Gentleman must have astonished the Prime Minister. It is certainly very difficult to reconcile the Home Secretary's view with that so confidently put forward by the right hon. Gentleman the Member for Midlothian, who, I understood, laid down that the whole of this matter would be in the discretion of the Lord Lieutenant. I was very much surprised to hear the Home Secretary express the opinion that the question had no relevance to the Bill before the House, for, in view of the alteration that will follow in the government of Ireland if the measure becomes law, and in view of the fact that the Executive Government of Ireland will not be responsible to this House, I think it very relevant and important that we should understand clearly what the position of matters then will be. The question we are now considering is whether or not it is right that, where a military officer or a soldier refuses, in pursuance of military orders which have been sanctioned by the Secretary for War, to obey the Civil authority when requested, he is to be subject to trial by an Irish jury and to proceedings by an Irish Executive. The point which the Members of the Government do not seem to be able to appreciate is that a military officer, though acting under the orders of the Secretary of State for War, may still be liable to proceedings, not where there will be the control of the Imperial Parliament, but under an Irish Executive, the Members of which cannot be called to account for their conduct in this House. It is not a question of legislative interference; it is a question of

Executive action. Suppose a riot took place in Birmingham. If the Civil authority requested the assistance of the military, would the officer in charge of the soldiers obey or disobey on his own responsibility, and thereby incur the liability, it may be, of criminal proceedings?

MR. CAMPBELL-BANNERMAN: He would.

SIR R. WEBSTER: That is the point. He would be liable, it may be, to indictment. But the Government do not seem to appreciate that in such a case we in this House could call in question the action of the Secretary of State for War or anyone else responsible for the orders, whereas we should have no control whatever over the action of the Irish Executive, if the case occurred in Ireland instead of in Birmingham. I maintain that the reasons given by the Government in opposition to the clause are not consistent with themselves. When the Government of Ireland is not responsible to this House it is not right that the conduct of the military men, who are obeying orders, should be called in question, and that those men should be tried by Irish Judges and juries, tribunals over which the House of Commons has no control.

MR. DARLING (Deptford) said, that as it was evident the Government did not intend to accept the clause, it might be useful to point out to the military men in whose interest this clause had been proposed a way which had been suggested by that very eminent lawyer the Home Secretary. The right hon. Gentleman had told them that when a Colonel of a regiment was called upon to act he was called upon as a citizen. If that be so, and if the Mayor of Cork asked the Colonel of the regiment there to assist him in quelling a disturbance, all the Colonel would have to say was, "I am summoned as a citizen; I will go as a citizen; I will go as an unarmed citizen ought to go; I will go in my black coat and tall hat; I will not take my uniform or sword with me." He could thus go, but he would have absolutely no right to order any other citizen to go with him.

He could not compel the men under his command to follow him; they could only be forced to attend by the Mayor giving an order to each individual, and the result would be an unarmed crowd instead of an armed and disciplined force. Now, the Government could avoid all risk of that by accepting the clause.

MR. AMBROSE (Harrow) said, he only wished to congratulate the Home Secretary upon the most useful speech he had made. When discussing the question of the supremacy of the Imperial Parliament they were told there would always be the military in Ireland to assert that supremacy. They were told the military would insure the success and triumph of the Imperial Parliament. Now, however, the Home Secretary told them the military were at the beck and call of the Home Rule Government. How could the military be a protection of Imperial supremacy if it were to be subjected to the orders of the Civil Government? What became of Imperial supremacy under such circumstances? Nothing could show more completely the hollowness of the scores of speeches delivered during these Debates than the speech of the Home Secretary.

Question put.

The House divided:—Ayes 143; Noes 172.—(Division List, No. 265.)

It being Midnight, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

#### SEA FISHERIES REGULATION (SCOTLAND) BILL.

SIR H. MAXWELL (Wigton) asked whether the Government really intended to bring on this Bill?

THE PATRONAGE SECRETARY TO THE TREASURY (MR. MARJORIBANKS, Berwickshire): The Government certainly intend to pass this Bill during the present Session.

ELEMENTARY EDUCATION (SCHOOL  
ATTENDANCE) BILL.—(No. 241.)

## THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed,  
“That the Bill be now read the third  
time.”—(*Mr. Acland.*)

\**SIR R. TEMPLE* (Surrey, Kingston) complained that, owing to the sharp manner in which his right hon. Friend the Minister for Education had taken the various stages of this Bill, he had not had an opportunity of submitting certain Amendments desired by the teaching profession. The Bill came on in the Committee stage in the small hours of Thursday night or Friday morning. He had certain important new clauses which would not alter the Bill, but which, in his judgment and in the judgment of the teaching profession, would greatly improve the Bill. These new clauses were moved out of Order by the Chair, but it was said that they might be moved as Amendments to the clauses of the Bill. He therefore gave notice that he would move his points as Amendments to the clauses on the Report stage. But the Bill passed through Committee, and straight away his right hon. Friend the Minister for Education put the Bill down on the Notice Paper, so that it came on on the very same day, and it was impossible for him in point of time to remodel the Amendments so as to bring them on on the Report stage. It was the practice at the Report stage to give written notice of Amendments beforehand, and that was impossible on his part owing to the manner in which the right hon. Gentleman put down the Bill. Then when the Bill came on on the Report stage there was so much noise at the moment in the House that he could not hear the Clerk at the Table, and it was only by the kindness of Mr. Speaker, to whom he had appealed, that he got to know that the Bill before the House was the School Attendance Bill. The Report stage was passed, so that again he had no opportunity of taking the sense of the House on the important questions he had to raise. His Amendments proposed to facilitate the manner in which children might leave school now that the age for

half-time employment had been raised. He had no hope of passing these Amendments on this occasion if his right hon. Friend objected. But he wished a specific deliverance from the right hon. Gentleman as to whether he agreed with him on the point. Probably his right hon. Friend agreed with him, only there were certain objections raised in the Education Department which his right hon. Friend did not feel himself quite strong enough to overcome. He should, however, like his right hon. Friend to take the responsibility of saying in face of the House whether or not he agreed with him and with the great mass of the teaching profession of England on this point? His right hon. Friend had, so far, taken refuge in silence. Having said so much, he had no objection to raise to the Bill, and would vote for its Third Reading.

THE VICE PRESIDENT OF THE COUNCIL (*Mr. ACLAND, York, W.R., Rotherham*): I do not think it would have been in Order for my hon. Friend to have moved the proposed Amendments to this Bill. I know the interest which my hon. Friend has taken in this question, and I agree with him to a large extent. The matter has my close attention, and as I am sure my hon. Friend will not expect me to go into general details, I hope the Bill will now be allowed to pass.

Question put, and agreed to.

Bill read the third time, and passed.

HOUSING OF THE WORKING CLASSES  
BILL.—(No. 37.)

Order for Second Reading read, and discharged.

Bill withdrawn.

*MR. T. M. HEALY* (Louth, N.) said, that when this Bill came on he was induced to allow it to go through at the request of the Patronage Secretary to the Treasury. The Lords had now riddled the Bill with Amendments, and as the promoter of the Bill had objected to his Bill that night, he would see when the Lords' Amendments came on that they were fully discussed.

House adjourned at ten minutes  
after Twelve o'clock.



## HOUSE OF COMMONS,

Tuesday, 15th August 1893.

## QUESTIONS.

## THE IMPRISONED ARMENIANS.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham): I beg to ask the Under Secretary of State for Foreign Affairs whether of the 63 Armenian Christians now or lately imprisoned at Angora 24 are still awaiting their trial, while 15 have been sentenced to death, and 24 to terms of imprisonment varying from 7 to 15 years, and if he can state to the House the nature of the charges against these persons, and the evidence by which such charges have been supported; and whether at Easter of this year His Majesty the Sultan promised to release all Christian prisoners charged with political offences who were not political leaders, and if all or what number of these 63 persons are so charged as being political leaders?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): Of the 24 prisoners referred to seven have been liberated; but we have not heard the result of the trial of the remainder. An amnesty was granted at the end of March to most of the Armenians of Marsovan, Cesarea, and Guzgat who were suspected of being implicated in the posting of the seditious placards. Those reserved for trial were considered by the Turkish Authorities to have been the authors or instigators of the placards.

MR. H. JOHNSTONE: Can the hon. Baronet say if it is the fact that 15 of these persons have been sentenced to death, and 24 to terms of imprisonment varying from seven to 15 years? What was the nature of the charges preferred against them, and of the evidence on which the accusations were based?

\*SIR E. GREY: No, Sir. I think the 15 prisoners referred to by the hon. Member as having been sentenced to death were those as to whom I stated some time ago that five had been exe-

cuted, and others had had their sentences changed to terms of imprisonment ranging from eight to two years. In these cases the Porte has promised to supply the *procès verbal* to the British Embassy.

## THE OUTDOOR RELIEF QUESTION.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether he has received any, and what, communication from the Southam Board of Guardians as to the case of James Morrey, of Napton; whether he is aware that, since the subject was mentioned in the House on 21st July, Morrey applied to the Board for outdoor relief, and that they allowed him 7s. 6d. a week for two weeks, and that he is now only receiving a few loaves; whether he is aware that, after being ill for 22 weeks, and receiving outdoor relief for only six weeks, although the hospital physician certified that it was a case for outdoor relief, Morrey was seized with a fit and was senseless for an hour and apparently dying, and that the doctor advised that this was brought on through weakness from want of food; whether he is aware that Morrey appealed to one of the Guardians for Napton, and that the Guardian told him that he must go to the Member for the Rugby Division for relief; and whether he will make strong representations to the Southam Board to induce them to support Morrey by outdoor relief, as advised by the hospital physician, and not force him into the workhouse?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): I am informed by the Guardians of the Southam Union that on the 25th of last month James Morrey attended before them, and that an order was given for his admission to the workhouse. He refused the order, and the relieving officer who visited him on the following day, in the exercise of his discretionary power, gave tickets for necessaries to the value of 7s. 10d. On the 2nd August Morrey was again relieved with necessaries to the value of 7s. 7d. On the 8th August the Guardians, having further considered the case, passed a resolution to the effect that the order for the workhouse should be continued, as they considered that Morrey would have a better chance of recovery if regularly

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treated in the workhouse. The relieving officer was at the same time instructed to give bread not exceeding seven loaves per week in case he considered it necessary. No application was made by Morrey for relief between the 30th May and the 20th July. The Guardians state that they are not aware that he was seized with a fit, nor any of the circumstances alleged in connection with it. They also say they are not aware of any appeal by Morrey to one of the Guardians for Napton. If, however, it is correct that any Guardian told any applicant for relief that he must go to the Member for the Rugby Division for such relief, I think such a reply was a most improper one. As I have already stated with regard to this case, it is entirely in the discretion of the Guardians whether they will give indoor or outdoor relief. The Local Government Board are expressly precluded by Statute from giving any directions in the case.

#### OVERCROWDING THE THAMES STEAMERS.

CAPTAIN DONELAN (Cork, E.): I beg to ask the President of the Board of Trade whether he is aware that the only means taken by the Victoria Steamboat Association to give publicity to the regulation limiting the number of their passengers is to hang up the certificate in an obscure corner of the cabin; whether he is also aware that each ticket issued by them contains the following notice:—"The Association are not responsible for injury or loss of life to passengers travelling by their boats, from whatever cause;" and whether the Board of Trade will consider the means of securing the safety and comfort of passengers?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): My officers report that the passenger traffic of each of the vessels of the Association referred to by the hon. Member is put up in some conspicuous part of the ship, as required by the Merchant Shipping Act. In no instance, in their opinion, has it been hung up "in an obscure corner of the cabin." The tickets issued by the Association do, I understand, contain a notice in the terms quoted in the question; but whether such a notice has any legal validity is a question upon which I am not prepared to

*Mr. H. H. Fowler*

express any opinion. The safety of passengers is provided for by careful survey in each case before a certificate is granted; but, as I have already stated, the question of comfort, as distinct from safety, is not one in which the Board of Trade have power to interfere.

CAPTAIN DONELAN: Is there anything shown on deck which gives the number of passengers allowed on board?

MR. MUNDELLA: No. This information is usually exhibited in the saloon, and in the cabins; not on deck.

CAPTAIN DONELAN: Is it put in a conspicuous place?

MR. MUNDELLA: I am informed that it is shown in a manner required by the Merchant Shipping Act.

#### WITU.

MR. MACFARLANE (Argyll): I beg to ask the Under Secretary of State for Foreign Affairs why the town of Witu was attacked by a force landed from Her Majesty's ships, and a number of persons killed?

\*SIR E. GREY: The town of Witu has not been attacked, but a fortified stronghold named Panwani, where a Chief named Fumo Omari had established himself with a band of robbers. He was understood to have accepted the terms offered him by Mr. Rodd, the acting Consul General, but treacherously fired on the escort which had been landed from the ships. It therefore became necessary to take the position by storm, which was done with great gallantry by the Naval Brigade, assisted by Soudanese and Zanzibar troops.

#### THE TAFF VALLEY RAILWAY ACCIDENT.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the President of the Board of Trade whether, having regard to the statements made by some of the survivors of the lamentable accident on the Taff Vale Railway on the 12th August, the Inspector sent down will pay specific attention at the Board of Trade inquiry to the question of how far the carriage doors were locked, and whether this had any bearing on the magnitude of the disaster?

MR. MUNDELLA: Yes, Sir; Major Marindin's attention has been specially directed to this point.

**ECCLESIASTICAL & NON-ECCLESIASTICAL CHARITIES.**

**MR. TALBOT** (Oxford University): I beg to ask the President of the Local Government Board how it is proposed, in the event of the Local Government Bill passing into law, to discriminate between Ecclesiastical and non-Ecclesiastical Charities; who is to decide any case of dispute on such a matter; and whether he will consider the advisability of appointing a Commission, as was done in the case of the City Parochial Charities Act, to inquire into this difficult question?

**MR. H. H. FOWLER**: There is no discrimination in the interpretation of the law; but I quite appreciate the point raised by the hon. Member, and will consider his suggestion.

**QUEEN'S CONSENT TO PRIVATE BILLS.**

**MR. BENN** (Tower Hamlets, St. George's): I beg to ask the Chancellor of the Exchequer whether his attention has been directed to the recent practice of the Treasury in giving notice at the Private Bill Office that the Queen's Consent is required to Private Bills which do not involve any taking of or interference with property of the Crown, but in which one of the Government Departments desires the insertion of some clause involving obligations on the promoters which the promoters deem unreasonable, and wish to submit to the Select Committee on the Bill; and whether the Government Departments are within their right in refusing to submit such questions to the decision of Select Committees on the Bills, and in claiming to veto the further progress of a Bill passed by a Select Committee, except upon terms dictated by themselves?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby): By Constitutional practice Bills dealing with the property of the Crown and the Public Revenue, which are in effect national property, require the consent of the Crown—that is, of the responsible Government. This, however, is a power which ought not to be arbitrarily exercised, interfering unnecessarily with useful measures. Such consent ought not to be withheld except on substantial grounds; and, if any case should arise in which it

is alleged that this power is abused, I will take care that the circumstances shall be carefully examined.

**THE POLICE AND SANITARY COMMITTEE.**

**MR. LONG** (Liverpool, West Derby): I beg to ask the Secretary of State for the Home Department whether he has considered the Report of the Police and Sanitary Committee; if so, whether he is in a position to state what view the Government take of the proposals contained therein?

**SIR C. W. DILKE** (Gloucester, Forest of Dean): Is the right hon. Gentleman aware that there is a great difference of opinion upon this subject, that some of the great Corporations have taken up the case of Leeds which was before the Committee this year, and are likely to make representations on the subject?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. ASQUITH, Fife, E.): Yes, Sir; the question is receiving careful consideration. I am not yet in a position to announce the views of the Government.

**GRAZING RIGHTS IN WOLMER FOREST.**

**MR. WICKHAM** (Hants, Petersfield): I beg to ask the Secretary of State for War if he is aware that notice has been given by the War Department to the occupiers of certain grazing rights on part of Wolmer Forest that such occupations will not be renewed after next Michaelmas; and, if so, if he will take into consideration the great loss and hardship which will be suffered by many poor persons by the withdrawal of rights which they have enjoyed for many years past?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): In consequence of the absence of fences, and consequent danger of cattle straying, it became necessary to resume a letting in Wolmer Forest, and a week's notice, in accordance with the terms in the agreement, was given to the tenant. The tenant represented that it would cause inconvenience, and requested to be allowed to continue the tenancy to Michaelmas. Permission to do so was at once given.

MR. WICKHAM : But does not this tenant represent dozens of smaller tenants ?

MR. CAMPBELL-BANNERMAN : I believe he sub-lets, but they are only tenants under him.

#### H.M.S. "ASSISTANCE."

CAPTAIN M'CALMONT (Antrim, E.) : I beg to ask the Secretary of State for War whether he has had satisfactory assurances from the Admiralty regarding the conveyance of troops in H.M.S. *Assistance* in respect to overcrowding ; and whether, in future, ample accommodation will be provided for the men, women, and children, especially during the winter months ?

MR. CAMPBELL-BANNERMAN : It has been arranged, as regards winter transports in the *Assistance*, that the number of troops to be carried shall be reduced, and the voyages made as short as possible, and wherever practicable shall be by day only.

#### THE "DROPMORE PAPERS."

MR. THORNTON (Clapham) : I beg to ask the Secretary to the Treasury whether he will endeavour to get the second volume of the *Dropmore Papers*, which are issued by the Historical Manuscripts Commission, published, if possible, in time for the Third Reading of the Government of Ireland Bill, containing, as these documents do, valuable matter concerning Grattan's Parliament ?

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : I am informed that the materials for the second volume, though collected, have not yet gone to press ; and in view of the necessity for careful revision of the proofs, I fear that there is no possibility of meeting the hon. Member's wishes.

MR. THORNTON : Can the right hon. Gentleman promise these Papers before the Irish Government Bill comes back to this House ?

SIR J. T. HIBBERT : I am afraid it is impossible for me to give any such undertaking.

#### IRISH LORDS LIEUTENANT AND CUSTOS ROTULORUM.

MR. HANBURY (Preston) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Lords Lieutenant of counties will, if the Home

Rule Bill becomes law, be appointed by the Crown or by the Lord Lieutenant of Ireland, and in the latter case whether on the advice of the Irish Executive or how otherwise ; and whether in Ireland as in England the Lord Lieutenant of a county is essentially a military officer, discharging Civil functions in virtue of the separate office of Custos Rotulorum ?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : The Lieutenants of counties in Ireland will continue, as at present, to be appointed by the Lord Lieutenant subject to any direction of Her Majesty. The reply to the inquiry in the second paragraph is an affirmative.

MR. HANBURY : Then the custos rotulorum will be appointed by the Lord Lieutenant acting on the advice of the Irish Executive, while the Lords Lieutenant will be appointed as the Representatives of Her Majesty not on the advice of the Irish Executive ?

MR. J. MORLEY : I said the answer to the question on the Paper was in the affirmative—that is, the Lord Lieutenant is an essentially military officer discharging Civil functions. The appointments are to be made under the Bill exactly as they are now made.

MR. HANBURY : Do I understand that these military officers will be appointed on the advice of the Irish Executive ?

MR. J. MORLEY : I said exactly the contrary. I believe the Lords Lieutenant of counties in Ireland will continue, as at present, to be appointed by the Lord Lieutenant of Ireland.

#### RESPITE OF AN ESSEX MURDERER.

MR. DODD (Essex, Maldon) : I beg to ask the Secretary of State for the Home Department whether, in view of the fact that the confession of Davies exonerates his brother Richard Davies to some extent from the crime of the murder of Sergeant Eves in Essex, he will consider whether the clemency of the Crown can be extended to Richard Davies, now under sentence of death ?

MR. ASQUITH : I have carefully weighed all the circumstances connected with this case, with the result that I have felt myself justified in advising that the execution of the capital sentence on Richard Davies be respited, with the view to its commutation to



penal servitude for life. In the case of John Davies the law must take its course.

#### CUSTOMS WAREHOUSE ACCOUNTS.

**MR. THEOBALD** (Essex, Romford) : I beg to ask the Secretary to the Treasury whether a system of warehouse accounts common to the Customs and Inland Revenue Departments was adopted with the approval of the Treasury in 1885, and whether the Treasury then ordered that no change should take place in this system without the joint approval of the respective Revenue Boards ; whether this system of book-keeping has worked satisfactorily in the Inland Revenue Department ; and whether the proposed alterations, involving the abolition of warehouse ledgers and the reduction of the checks against fraud in the Customs Outdoor Department, have been submitted to the Inland Revenue Board for approval ?

\***SIR J. T. HIBBERT** : The statement in the first paragraph is substantially correct, and the system of book-keeping has worked satisfactorily in the Inland Revenue Department. The changes in the Customs system were made with the full approval of the Treasury, and were notified to the Board of Inland Revenue. They were made on competent advice with the object not of reducing, but of strengthening the checks against fraud.

#### SUNDAY ELECTIONS.

**SIR T. LEA** (Londonderry, S.) : I beg to ask the Attorney General if there is any provision in the Ballot Act which prevents an ordinary Parliamentary Election from taking place on a Sunday ; and, if so, which section ?

**THE SOLICITOR GENERAL** (Sir J. RIGBY, Forfar) : As the hon. Member has probably ascertained, there is no section in the Ballot Act which expressly provides that elections shall not be held on a Sunday, but if such an enactment was required it is to be implied from the terms of Section 56 of the First Schedule to the Act.

**SIR T. LEA** : But would that hold good as a legal preventative ?

**MR. T. M. HEALY** (Louth, N.) : Does not the section provide that in the

reckoning of time Sunday is not to count ? Is not that sufficient ?

[These questions were not answered.]

#### SUGGESTED EXPORT DUTY ON COAL.

**MR. H. R. FARQUHARSON** (Dorset, W.) : I beg to ask the First Lord of the Treasury whether, having in view the loss and suffering caused to the industrial classes by the increased price of coal caused by the strikes among coal miners, Her Majesty's Government will consider the advisability of imposing an Export Duty on coal during the period of the strike, with a view to keeping the price of coal at a moderate level ?

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : Even if the Government desired to take such a step they are not at liberty to do so, and it would be against the public interest to give effect to the suggestion. Besides, this country was under Treaty obligation with Germany not to impose an Export Duty.

#### THE WELSH SUSPENSORY BILL.

**MR. BARTLEY** (Islington, N.) : May I ask whether it is correctly stated in the newspapers that the Welsh Suspensory Bill has been abandoned this year ?

**MR. W. E. GLADSTONE** : I am not aware of any statement in the newspapers on the subject, nor is there any justification for the report.

#### THE BEHRING SEA ARBITRATION— THE AWARD.

**MR. TOMLINSON** (Preston) : Can the Under Secretary of State for Foreign Affairs, or the Prime Minister, give the House any information with respect to the statements in the evening newspapers as to the award in the Behring Straits case ? Is the account published substantially correct ?

**MR. W. E. GLADSTONE** : We have an intimation of the result of the inquiry, but it is in the nature of a private and not of an official telegram. I have no objection, however, to communicate the substance of it. Speaking generally, and with partial exceptions, the award is entirely satisfactory to the British interest.

## ORDERS OF THE DAY.

GOVERNMENT OF IRELAND BILL.  
(No. 428.)

## CONSIDERATION. [SEVENTH NIGHT.]

Bill, as amended, further considered.

\*MR. KIMBER (Wandsworth) moved the following new clause :—

“Upon an Address of both Houses of Parliament representing to Her Majesty that any Act passed by the Irish Legislature is, in their opinion, in contravention of Section 3 or Section 4 of this Act, or is in excess of any powers conferred by this Act, or ought for any reason to be suspended or repealed wholly or in part, Her Majesty may suspend such Act either absolutely or temporarily, and either in whole or in part.”

He said, in proposing the Second Reading of this new clause, there were no fewer than 12 sections of the Bill, besides six or seven sub-sections, naming subjects on which the Irish Parliament could or could not legislate. Sections 3 and 4, after giving a list of the prohibited subjects, declared that if the Legislature did pass a law affecting any of them such law should be void. In Clause 2 there was a general power, with the limitation that any laws passed must relate exclusively to Ireland. But there was not, from the beginning to the end of the Bill, any provision against evils that might arise or mischiefs that might be done supposing the Irish Legislature chose not to recognise those declarations, or passed laws which they reasonably thought came within the purview of the Act, although we held that they did not. Certainly Clause 20 gave power, in the event of the Secretary of State thinking an Act to be *ultra vires*, to certify that opinion to the Privy Council as a preliminary to securing a judicial opinion from that Body on the construction of the present Bill; but there were points other than the mere construction of the law likely to arise, and it might be that this House, and the other House, might consider that whatever the construction placed, the Irish law was passed contrary to the intention of the Imperial Parliament. The law which he proposed to enact applied to three sets of cases—(1) where the general power conferred by the Act

to make laws for the government of Ireland should have been exceeded; (2) where laws were passed in specific contravention of any of those subjects which were categorised in Sections 3 or 4; and (3) where any law which for any reason in the opinion of Parliament might be considered so dangerous or so mischievous or not to have come within the provisions contemplated by the Bill that it should be suspended or repealed; and in regard to the third set he would point to the enormously wide range of subjects to which the Bill extended. It provided nothing less than a new Constitution for what had been called by some a separate Kingdom and Nationality, and that Constitution was supposed to last for all time. At any rate, it was to be a permanent law, and it would not be denied by any Member of the Government, or any one of their supporters, that there must arise in the future many cases which have not been, and could not have been, foreseen. The Prime Minister, with all his enormous talents, would not argue that the Bill covered every case that could possibly arise. He once said it passed the wit of man to find words which would do that, yet he had attempted the gigantic task of defining in words what it should be in the province of the Irish Legislature to pass laws upon. Surely he would recognise that he was fallible, and that it was probable that, in the lives of nations as of men, circumstances might arise which might not come under any specification now made, and, therefore, could not be dealt with under the general powers of the Act, and which ought not to be made merely the subject of judicial pronouncement simply on the point of the construction of the Act. It might be said that this power was not necessary, because there was a right given to go to the Privy Council; but this right was not only expensive and not open, consequently, to the poorer subjects of the Crown, but it took time to enforce it, and the mischief might meanwhile be going on under the supposed void law. They could not expect the Irish Legislature to admit that any law passed was void; they would, of course, insist that it was good and valid, and the Irish Executive would enforce it until it was proved by judicial decision to be otherwise. Hence mischief of an irremediable

character might be done before the decision of the Privy Council could be obtained, and no remedy was provided for that mischief. There was no provision in the Bill by which the Government reserved power to deal with or to prevent mischief of this character. It might be said that—the supremacy of this Parliament having been reserved—it would be competent for this House to join with the other House in passing a Bill to remedy the defective Irish law. That would not, however, meet a case of abuse of power, or some mischief which required prompt and immediate remedy. The process he proposed in the new clause required merely that the two Houses should pass a Resolution which, on being sent to Her Majesty, would afford an efficient, immediate, and prompt remedy, and would avoid all the delays attendant on getting a Bill through the two Houses of Parliament. He hoped the House would accept the clause.

Clause (Suspension of Irish Act on Address from both Houses of Parliament,)—(*Mr. Kimber*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE FIRST LORD OF THE TREASURY (*Mr. W. E. Gladstone*, Edinburgh, Midlothian): I confess I did not expect to be called upon to discuss a clause of this nature; but, by stating in a few minutes the objections of the Government, I shall say quite as much as the merits of the clause warrant. The objections are these: The clause deals with Acts of the Irish Parliament which are *ultra vires*. The Bill provides carefully-adjusted judicial procedure of the most impartial character, and the highest authority to dispose of all these cases. The hon. Member proposes to take away these cases from that Judicial authority and to adopt a process which is in the highest degree summary; he proposes to hand them over to this Parliament, so that a political vote given on some one occasion in this House of Parliament, and still more easily in the other House of Parliament, is to take the place of the Judicial Committee, and is absolutely to cancel what the Irish Legislature has enacted in the form required by the Bill. But what follows is still more extra-

ordinary. If a majority of the House of Lords disapproves of an Irish Act which has been passed in due form, and on which the Irish Legislature may have spent—I will not say 80 or 90 days, but some ample period, and if the political majorities in the two Houses of the British Parliament happen to be of the same way of thinking, then by a single vote it will be possible totally to quash and cancel such legislative Act, although it has passed through the two Houses of the Irish Legislature and has been assented to by the Viceroy in the name of Her Majesty, upon the responsibility of his position as the Representative of Her Majesty. That appears to me to be a proposal which will not commend itself to any very considerable number of Members in this House. The third proposal is that, upon the strength of a single vote, not only may an Act of the Irish Parliament be quashed and cancelled, but any part of it which the Government of the day may think fit to quash and cancel may be separated from the rest and may be so dealt with, and the rest may be left to take effect as a law of the Irish Legislature. Such is the degree to which the hon. Member has perverted the fertility of his ingenuity that I doubt whether the hon. Member or any other gentleman can carry it further. The power to select any portion of the law to take effect and to cancel the rest of the law is a power in many cases to turn the law absolutely inside out and to make it, by a partial enactment, produce effects precisely the reverse of that which was intended. We object to the substitution of a political majority for the Judicial Committee of the Privy Council; we do not think there should be power to quash by one single vote the well-considered Legislative Act of the two Houses of the Irish Parliament, and we do not think there should be such a power of selection and of cancelling part of an Act as would be tantamount to allowing to operate as part of the Irish law passed by the Irish Legislature a portion of an Act so manipulated as to give effect to precisely the reverse of what was intended.

MR. A. J. BALFOUR (*Manchester, E.*): If my hon. Friend has been driven to make proposals which were open to objection, as no doubt they are, the fault lay, not with him, but with the Govern-

ment—[Mr. W. E. GLADSTONE: Of course]—who have upon this all-important question of the veto upon the Irish Acts refused at any single period of the discussion, so far as I recollect, either to answer the arguments of the Opposition or to make such alterations in the Bill as would meet their objections. I do not, however, wish to dwell upon this beyond saying that we have a right to bring forward any proposals we desire to improve the Bill. There is no doubt that the power of the veto as it stands in the Bill is eminently unsatisfactory, and undoubtedly the power of the Privy Council could not be exercised at periods and on occasions when its judicial authority would be most valuable. Unquestionably, as the Bill stands at present, an Act might be passed by the Irish Legislature, assented to by the Lord Lieutenant, and enforced for years. Gross injustice might be done under it, and yet, until some private suit was brought before the Privy Council, the question of its injustice could not be decided. Moreover, the Privy Council would be precluded, and rightly precluded, from dealing with the question of policy at all. It is said that it will be the duty of the Lord Lieutenant, in giving or withholding his veto, to exercise his discretion, on the advice of British Ministers, as to the policy and legality of the Act to which he is called upon to give his assent. Yes; but the Lord Lieutenant is to give his assent to these Acts before they are enforced. But when he is asked to give his veto he can only prophesy and conjecture as to what the effect of the legislation will be. If the Government had not turned an absolutely deaf ear to our suggestion, but had agreed to adopt the colonial method by which the veto might be used after an interval, my hon. and learned Friend would, I admit, have had no *primâ facie* case for dealing with this question. The Government have, however, refused to accept the Amendment; and it is, therefore, no matter for surprise that the hon. Member, deeply conscious of the absurd position in which the question has been left by the Government, should have brought forward his proposal. I admit that some of the criticisms of the Prime Minister are well founded, and I therefore suggest to my hon. Friend that he should not press his Amendment to a Division, but

*Mr. A. J. Balfour*

that he should consider whether he cannot bring forward at a later stage some other Amendment to carry out his undoubtedly worthy object.

MR. J. CHAMBERLAIN (Birmingham, W.): I have no doubt the hon. Member will take the advice that has been tendered to him. But I must say that the point to which he has called attention deserves a little more consideration than it has at present received. [*Ironical Nationalist cheers.*] I am glad to find that hon. Members opposite agree with me as to its importance. They will, no doubt, take part in the discussion—[Mr. W. E. GLADSTONE: Hear, hear!]  
—in some other than a purely inarticulate way. I am, at any rate, not to be debarred from discussing this matter by the ironical cheers of hon. Members, even when they are sustained by my right hon. Friend the Prime Minister. I do not think the answer of the Prime Minister is altogether conclusive. The right hon. Gentleman seems to lay great stress upon the fact that under this Amendment there will be substituted for the proceeding of a judicial tribunal what he has called a political vote in the Houses of Parliament. But that exists under the Bill at present. Supposing that, after the Bill passes, the Irish Legislature are to devote the 90 days of which my right hon. Friend has spoken to the passing of a measure which, the Lord Lieutenant is advised by the British Government, is *ultra vires*, what would happen? Why, according to the principle laid down by the Prime Minister himself, the Lord Lieutenant will veto that Bill. What is that veto? Not, indeed, a political vote of the House of Commons, but a political vote of a Ministry representing, perhaps, a very small majority of the House of Commons. I must say that seems to me a much stronger case; and if it be right to give this power to the Lord Lieutenant, representing the Government, I cannot conceive why the right hon. Gentleman should be so indignant when my hon. Friend proposes to give similar power to the House of Commons as a whole. Then the right hon. Gentleman refers to the words “wholly or in part”; and he seems to think that they make the proposal more objectionable than it would otherwise be. I suppose the words were introduced by way of qualification—



\*MR. KIMBER: I took them from Clause 20.

MR. J. CHAMBERLAIN: That is a better illustration than I was going to offer. There may be many cases in which an Act of the Irish Legislature, on the whole a useful Act, which it is quite right to propose and pass, may contain a clause or a section which is illegal and *ultra vires*. Under the Bill as it stands, it would be necessary to veto the whole of the Bill in order to deal with one irregular clause or section. I should have thought it would be a convenient thing that power should be given to deal with a section objected to, while leaving the whole of the rest of the Bill untouched. But the question I wanted to call attention to is this — Do not the Government see that, in the event of a Bill having passed which is *ultra vires*, it is desirable that it should be rendered innocuous with as little delay as possible? It is really a serious difficulty. I am sorry the right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce) is not here, for he would correct me if I am wrong. But I believe this is a difficulty which has given rise to serious trouble in the United States, where there is not the same sharp division of political opinion as in this country. But, even there, there have been cases in which an illegal Act has practically been operative for a considerable period after it has been decided to be illegal. There is the case of Virginia. The point arose in connection with a loan issued by the State of Virginia, the coupons being made receivable in lieu of taxes. For some reason or another the State of Virginia afterwards passed an Act declaring that the coupons would not be receivable, and the Supreme Court decided after a considerable interval that the State was wrong, and that the coupons must be received. But, in the meantime, the Legislature of Virginia passed another Act practically to the same effect, and by the time that the first Act was declared illegal the second Act came into force. They went on repeating that course for a considerable time; I do not know for how long, but I believe for some years. The coupons were not receivable for taxes, in spite of the decision of the Supreme Court. A similar case might easily occur in con-

nection with the Irish Legislature; and the hon. Member is not to blame for attempting to devise some system by which, in the event of recalcitrancy such as that shown by the State of Virginia, the Irish Legislature might be speedily brought to book.

MR. SEXTON: I cannot admit that the case of the State of Virginia applies to the proposal before the House. The right hon. Gentleman says, with regard to certain Acts passed by the State of Virginia, that they were brought before the Supreme Court and declared void, and that the State of Virginia did not thereby recognise certain coupons. The right hon. Gentleman leaves entirely out of view the fact that the Congress of the United States had no power to legislate for the State of Virginia in the matter that formed the subject of the judgments. That makes the case entirely inapplicable to this Debate, because by Clause 30 of the Bill, after the Home Rule system has come into force in Ireland, this Parliament will have the power to pass overruling Acts, and any Act passed by this Parliament for Ireland after the establishment of the Home Rule system cannot even be altered by the Irish Legislature; and, therefore, it will be apparent to the right hon. Gentleman (Mr. J. Chamberlain) that he has misled the House, perhaps having previously misled himself. If any Act of the Irish Legislature were found to be inexpedient it would be open to this Parliament to pass a Bill nullifying the measure, which Bill, having been passed into law, could not be altered by the Irish Legislature; and, therefore, such a state of things as that which prevailed in Virginia could not arise in Ireland. I listened to the very weak apology made by the Leader of the Opposition for this Amendment. He says the power of veto is not satisfactory. Why is the power of veto not satisfactory? Because, he says, under this Constitution a period is not allowed to elapse after the passing of a Bill within which the question could be considered whether or not the veto should be applied. Surely, in the case of a country within four hours' sail of your shores, and seeing that the legislative proceedings would be reported in your Press, it is absurd to suggest that the time that will elapse in the passage of a Bill, especially of a contentious Bill,

will not be sufficient to enable you to become absolutely familiar with all its provisions and all its effects, and that you will not be in a position to say whether or not the veto should be applied at the time of its passing. The first part of this Amendment proposes, for the first time in your Parliamentary history, to make the interpretation of Statutes a Parliamentary and not a judicial function. Hon. Members suggest that this Imperial Parliament should take up the function of determining whether or not an Irish Act is beyond the powers of the Organic Statute. The absurd effects of such an arrangement as that have been pointed out already; but I may add that it might lead to conflict between Parliament and the Judicial Authorities, because, notwithstanding this Amendment, if it were adopted, the question whether an Irish Act was *ultra vires* or not might come before the Judicial Committee of the Privy Council; and at the very time that the two Houses passed an Act declaring it *ultra vires*, the Judicial Committee might come to a decision that the Act was within the powers of the Irish Parliament. How absurd would be such a consequence! With regard to the second part of the Amendment, the suggestion is that the due process of legislation of the Irish Parliament ought to be overcome by a simple Resolution of this and the other House. Of that I can only say it is a proposal, after a lapse of 400 years, to re-enact the Law of Poynings in a much more offensive and unjust form. That law, which was passed in 1494 at Drogheda, provided that the Irish Houses should not proceed with any Bill unless the heads of the Bill had first been submitted to an English authority, and they had been approved of. Such parts of the heads of the Bill which the English authorities struck out could not be proceeded with. The Law of Poynings had this advantage—that the Irish Houses knew how far they might proceed. They knew that the heads of a Bill struck out by the English authorities could not be proceeded with, and that they must limit the heads to those approved of by England. But what is this proposal? It is that after the two Houses have taken all the trouble of going through and discussing a Bill, that then the Law of Poynings shall come into operation, and such parts of a Bill passed

*Mr. Sexton*

by the two Irish Houses as are not agreeable to the political Party that for the time dominated in England shall be struck out. Therefore, the difference between the Law of Poynings and the proposal of the hon. Gentleman is this—that the Law of Poynings gave us warning as to how far we might proceed; but this Amendment proposes that, after we have exerted ourselves by a laborious course of legislation to pass a particular Act, this House and the other House may, by a single Resolution, strike out such parts of the Bill as they disapprove of. It is a curious thing that when we are engaged in setting up an Irish Constitution a Tory Member should make a proposal more offensive and more injurious than that law which has been considered the most detestable of your Statutes in Ireland for the last 400 years.

MR. DUNBAR BARTON (Armagh, Mid.) said, he did not think there could be anything more contrary to each other than the veto of Poynings Act and the veto of his hon. Friend. As the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had reminded the House, the supremacy which the Government was giving throughout the Bill was a supremacy subject to a Party vote in the House of Commons. Unionists were of opinion that the supremacy should be exercised by legislation, and that the protection of a chance vote by which a majority might be turned out was not a sufficient protection.

\*MR. BLAKE (Longford, S.) thought nothing could be more important than to recognise the fact that, as stated by the Prime Minister, 99 cases of *ultra vires* legislation out of 100 it would be found convenient to leave to be disposed of by the Courts. Many Acts, useful in themselves, might contain *per incuriam* slight provisions transcending the power of the Legislature; but, as a rule, such provisions were utterly innocuous. They had no force, inasmuch as they were beyond the power of the Legislature, and they were also otherwise innocuous, while the Act itself would probably have many virtues, and the provisions he spoke of would be found in due course to be waste paper, as they really were. He quite admitted that there might be cases even of excess in which the power of the veto might be exercised. For

instance, there might be cases in which some immediate effect might be accomplished by legislation being placed upon the Statute Book, giving apparent Executive authority to the Government of the country, and there might be cases in which legislation might be in gross contempt of the Constitutional Act, and in flagrant abuse of the power of the power of the Legislature. Such a case would arise if the Legislature were to attempt to alter the succession to the Throne, or to create a Standing Army. One could understand that such a flagrant attempt to defy the fundamental law might be met by the use of the veto. But, generally speaking, the Constitution would be best, and most peacefully, and usefully worked, by leaving cases of *ultra vires* to the tribunals with resort to the Judicial Committee.

Question put, and negatived.

MR. SPEAKER: The next clause, standing in the name of the hon. Gentleman (Mr. Kimber) (Disqualification of persons found guilty of conspiracy), is, I think, out of Order, and was so ruled in Committee.

\*MR. KIMBER said, he did not understand it had been ruled out in Committee, and he wished to know whether it would be in Order if he left out the specific reference to the Commission and made it general?

MR. SPEAKER: The objections I have to the clause are that it is *ipso facto* legislation—that it is a disqualifying section sought to be introduced into a Bill which contains no other disqualification, and that it would require an Instruction to make it in Order.

\*MR. GERALD BALFOUR (Leeds, Central) moved the following Clause:—

(Civil process against persons resident in Great Britain.)

“From and after the appointed day no writ of summons nor other civil process shall issue from any court in Ireland for service or substituted service outside of the jurisdiction of such court upon any person domiciled or ordinarily resident in England or Scotland.”

He said, that the general rule which guided the procedure in reference to the issue of writs of summons or other Civil process from any Court in Ireland for service outside the jurisdiction of such Court on persons domiciled or ordinarily resident in England or Scotland was the old legal maxim to the effect that the plaintiff

must sue in the country in which the defendant was domiciled or habitually resident. Until within a comparatively recent period, the rule had been absolute and admitted of no exceptions.

MR. T. M. HEALY (Louth, N.), rising to Order, submitted that the new clause would, if adopted, alter the English Judicature Act, and could not, therefore, be moved.

SIR H. JAMES (Bury, Lancashire) pointed out that the Amendment affected only the right of Irish Courts to issue writs.

MR. SPEAKER: I do not think the new clause requires an Instruction, or is out of Order. Had I thought so I should have stopped the hon. Member.

\*MR. GERALD BALFOUR said, that even as regarded writs of subpœna, it was only since 1854 that such writs had been valid outside the jurisdiction. When Ireland had a Parliament of her own, the rule as between Ireland and England was absolute. His clause provided, so far as the Irish Courts were concerned, for a return to the state of things which existed before the Union, and for a considerable number of years after the Union. At that time the Irish Courts were, as regards this particular matter in the position of foreign Courts. So long as Ireland had an independent Parliament this was natural and inevitable. It was only the Act of Union which by fusing together the Executives and Legislatures of the two countries made a relaxation of the rule possible, even though the judicatures remained distinct. Even now the exceptions to the rule were confined to five or six special and well-defined classes of cases. He did not deny that there was considerable convenience in the existing system, nor would he suggest any change if the appointment of Judges in Ireland were to remain, as heretofore, in the hands of the Imperial Executive, if the Judges themselves were to continue responsible to the Imperial Parliament, and if the power to alter judicial procedure had been withheld from the competence of the Irish Legislature. Members from Ireland, however, could not eat their cake and have it. They could not expect to have a Legislature in Ireland which for domestic purposes was to be practically independent, and, at the same time, to enjoy all the advantages of the

present system of closer union. At the present time, the rules of judicial procedure were drawn up by the Judges of the High Court of each country, were then laid upon the Table of both Houses of Parliament, and, after a certain period, *ipso facto* obtained the force of law. By this Bill the Irish Legislature would have the power to remodel the system of judicial procedure in Ireland. What could be more natural than that it should pass an Act providing that the rules drawn up by the Irish Judges should be laid on the Table of the two Houses of the Irish Legislature instead of on that of the Imperial Parliament? The Irish Legislature might go further and take into its own hands to determine the rules of procedure by legislative Act. Consider again the position of the Judges under the Bill. The existing Judicature Act directed them, in considering whether they should issue a writ of summons out of the jurisdiction, to take into consideration the amount of the claim and the convenience of the public and the parties to the action. These were clearly somewhat vague matters, in which there was plenty of room for difference of opinion. They were matters which must be left to the discretion of the Judges, who in Ireland were to be appointed by the Irish Legislature. In deciding such questions it was difficult for any man entirely to free himself from his personal leanings, or from such bias as the circumstances of the case might tend to give him. Therefore, without any desire to depreciate by anticipation the character of the gentlemen who might, under this Bill, be appointed Irish Judges, he could not help thinking that they would almost inevitably be prejudiced in favour of their own jurisdiction, and could not always be relied upon to hold the balance even between an Irish plaintiff and an English defendant. It was easy to see that the new order of things might result in very serious hardship to defendants domiciled in England or Scotland. He would give one example. At the present time the right to issue writs out of the jurisdiction did not extend to torts or civil wrongs. It did not extend, for instance, to the case of libel. Suppose the Irish Legislature were to extend it to the case of libel. Hon. Members below the Gangway had sometimes shown themselves extremely

*Mr. Gerald Balfour*

sensitive as to what was said of them by public men speaking upon public platforms in this country. One well known Member of the Party had brought an action against a British statesman for libel. That action had, of course, been tried in Great Britain. But suppose the Irish Legislature were to extend the issuing of writs outside the jurisdiction to actions for libel, public speakers in this country might be sued in Ireland before Irish Judges and Irish juries for statements made on English platforms. He hoped that the Prime Minister or the Solicitor General, or whoever might speak on behalf of the Government, would not oppose this clause on small technical grounds, or insist on minor difficulties that might arise under its provisions. He admitted that the clause, as it stood, might have been drawn somewhat too widely. It might, for instance, be argued that, the Exchequer Judges being Imperial Judges, the Exchequer Court ought to form an exception to the operation of the clause, and he would not be averse to accept an Amendment of the clause in that direction. He would even be prepared to go further, and accept a proviso that writs of summons might issue from Irish Courts by leave of the Exchequer Judges previously obtained, those Judges acting, of course, in accordance with the principles laid down by English law. But, at present, he only asked the House to read this clause a second time on the broad ground that the Irish Courts could have no just claim to issue writs out of the jurisdiction on persons resident in Great Britain when the Irish Executive would appoint the Irish Judges, when the Irish Judges would be responsible to the Irish Parliament, and when the Irish Parliament would have power to remodel the whole system of judicial procedure in Ireland. It seemed to him the proper course for them to pursue at present was to withdraw all such powers from the Irish Judges, leaving it to the Imperial Parliament to deal with the whole question, if it should see fit to do so hereafter, unhampered by any terms of settlement contained or implied in this Bill.

Clause (Civil process against persons resident in Great Britain,)—(*Mr. Gerald Balfour*,)—brought up, and read the first time.



Motion made, and Question proposed, "That the Clause be read a second time."

**THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar):** This proposed new clause has relation to a subject of very wide extent. It suggests a vital change between English and Irish Courts, and the only reason urged on behalf of it is that the Irish Courts cannot be trusted to act with reasonable judicial discretion in a matter of this kind, nor the Irish Legislature to make laws which will be in themselves reasonable. If they make unreasonable laws, we shall have it in our power to prevent them by a much simpler method than is suggested in the clause. The hon. Member who proposed this clause seemed to think that by accepting it we should get back to a state of things which existed when the two Kingdoms were absolutely distinct, and I think he rather put forward—

**Mr. GERALD BALFOUR:** Only as regards Ireland.

**Sir J. RIGBY:** He suggested that we were always to have the powers already given to us by the Judicature Acts and the Rules made under those Acts to serve our writs, but that the Irish Courts were not to have similar powers. That is a wholly one-sided proposal.

**Mr. GERALD BALFOUR:** The Bill is a one-sided Bill.

**Sir J. RIGBY:** The hon. Gentleman has a perfect right to say he opposes the Bill on that ground; but I also have a right to use the same argument as a reason for opposing the clause, which, whatever the Bill may be, is absolutely one-sided, and as an argument in favour of leaving the Judicature in both countries in exactly the same position. Even then we should not come to anything like the state of things which existed before the Judicature Acts were passed. The whole question of land, for instance, will be in a totally different position. Our Courts in England cannot deal directly with matters affecting land in Ireland. If, therefore, a question of that kind arises, it will be impossible to deal with a person resident in Great Britain, according to the terms of this new clause. I will give credit to the hon. Member for any Amendment which he may possibly introduce into the clause;

but I still maintain that it is objectionable, mainly on the ground that it would be humiliating to the Irish Courts by placing them in a position of inferiority as regards the corresponding Courts in England and Scotland in this respect. This question of domicile, as it now stands, will be an entire alteration of the law, even as it existed before the Union. Domicile never has had, and never ought to have, anything to do with it. It has been pointed out in Committee that a man may be resident in Ireland and may carry on his business there, and yet be domiciled in England or Scotland. Such a man will be allowed, according to this clause, to escape the jurisdiction of the Irish Courts by leaving Ireland after passing years of his life and engaging in transactions of wide extent in that country. That it is expedient, and even necessary, that there should be a right to issue writs out of the jurisdiction is shown by the fact that actions are not necessarily by one plaintiff against a single defendant; but that numberless questions often arise in which a question cannot satisfactorily be settled between A and B without bringing in C and D, who may be domiciled, or habitually resident, out of Ireland. It has always been one of our special boasts in our dealings with foreign nations—and for this purpose alone I will argue as if Ireland were a foreign nation—that what we demand from them we also in our turn concede. I do not think that a single case in modern history can be cited in which we have said that we insist upon serving our writs in their country, but refuse to that other country similar advantages. It might take weeks, according to the progress already made with these Debates, if we were to try and introduce into the Bill a full and equitable and reasonable scheme which should comprise any important part of this clause; and I do not think the House would have proceeded far in that matter without its becoming apparent that it would be altogether inequitable to say to any portion of the nation that we demand to issue writs as against them, but that we are not prepared to concede that right to their Courts as against ourselves. Though we are by this Bill creating, with knowledge and full intention, a state of things which we think ought to exist in Ireland in the

future, it is proposed we should accompany that by an admission that we are thereby doing something so hazardous and dangerous to the proper administration of justice that there must be withdrawn from the Courts of the future that equality which they now enjoy, and they must be thrown back into the position of semi-barbarous nations, with whom we are bound, as a matter of policy, to impose some part of our law without giving them the same rights as against ourselves in return. I cannot conceive how such an Amendment can commend itself to the acceptance of the House, and I submit that it ought to be negatived.

MR. DUNBAR BARTON said, the hon. and learned Gentleman the Solicitor General had entirely mistaken the grounds upon which the Amendment was brought forward. With some parts of the hon. and learned Gentleman's observations both he and the proposer of the clause agreed, especially those which were delivered from a lawyer's point of view. But his hon. Friend did not desire that any single power of serving the writ out of England into Ireland should exist without mutuality and reciprocity—all he said was that before they had such mutual and reciprocal service of writs they must make a *tabula rasa*, now that they were setting up a separate Judicature no longer appointed by, and responsible to, the British Parliament. The Judicature Act was liable to be changed in every detail by the Irish Parliament. The question was one that affected every English and Scotch citizen, whatever his politics. The clause said that in future any English or Scotch citizen, who was liable to be sued in any jurisdiction, might be brought over to Ireland—

SIR J. RIGBY: He cannot always be sued in his own jurisdiction.

MR. DUNBAR BARTON, continuing, said, an English or Scotch citizen would, in future, be liable to be called over to Dublin at the will of the Irish Courts, and under the jurisdiction of the Irish Legislature rules might be made enforcing that. It would be an outrageous thing that the Courts and Legislature in Ireland should not only have power to legislate for its own people, but that the Court should have power to issue writs

at its own sweet will and discretion against any Englishman or Scotchman in excess of the Judicature Act and the Scotch law. Experience taught them that Courts invariably tried to attract business to themselves, and it was only common sense to suppose that the Irish Courts would be placed under rules which would bring before them, when possible, English and Scotch litigants. He agreed there ought to be mutuality, but that should be set up by the Imperial Parliament—not by the Irish Legislature. The Solicitor General said this was an attempt to set up something only fit for a semi-barbarous State; but would he be surprised to hear that the very words of this Amendment were to be found in the Federation Act of Australasia of 1885, and were applied to the Australian Colonies with their consent by the Imperial Parliament? Was it not common sense that where any bodies of people formed together for a common purpose there should be mutuality. But if they allowed the Irish Judicature to do as it wished it would not be mutual—it would be non-reciprocal, and only afford it means of harassing and inconveniencing those over whom it should have no control. Before the Union there was no power of issuing writs out of the jurisdiction of Ireland in England, or out of the jurisdiction of England in Ireland; but in 1806 subpoenas were allowed to be issued in criminal cases, and in 1832, for the first time, writs were allowed to be issued in cases referring to the land. These powers were given under Common Law Procedure Acts which had been since repealed, and were now provided for in the Judicature Act. There was no objection to re-enacting them in an Imperial Act; but there was an objection to leaving the Judicature Act liable to be amended by the Irish Legislature, and by Irish Judges responsible only to that Legislature. The change proposed by the Amendment was the natural corollary of the Home Rule Bill. In the Colonies, under the rules as to service, a judgment obtained against a British subject at home could only be enforced by bringing a new action in England founded upon such judgment; but if the defendant could show he was out of the jurisdiction the whole of the judgment would go to pieces. But in Ireland the case was

Sir J. Rigby

very different, as, under the Judgments Extension Act, a judgment obtained in an Irish Court against an English or Scotch citizen could be brought over here and registered, and the following day placed in the hands of the Sheriff, and all his goods and chattels could be taken in execution of the judgment. An *ex post facto* law might be passed by the Irish Legislature, because by this Bill they were going to give the Irish Legislature that power, as an Amendment to prevent it had been rejected. Such a thing could not happen in the case of the Colonies. What would happen in Ireland—say in Ulster? A gentleman might bring an action for libel, as one of the Nationalist Members did against Lord Salisbury. The defendant might not appear, and although he was served out of jurisdiction, judgment might be entered for any amount against him, and that judgment might be registered in England, and immediately executed with very harsh consequences. This was a business question. It was not suggested that a man having business relations in Ireland should not be there liable; but he was endeavouring to show that no system of this kind could be set up in Ireland without some change being made such as was suggested in the Amendment. The fact was, that they could not eat their cake and have it. They could not throw their cake out of the window and want to have it at the same time. They could not give up the Union and retain its advantages. They might allow each part of the United Kingdom to have service for its processes in every other part, as at present, because they had control of the whole system. But once they parted with control of some part of the system, it became necessary that they should alter the state of things, and declare that the processes of the Irish Courts of Law should have no force outside their own jurisdiction. From the Irish point of view—and he was sure the Nationalist Members would admit this—it was most essential that in these matters, as in commercial matters, that there was a uniformity between the two Kingdoms, because if there was not uniformity between the two Kingdoms as to the procedure of the Law Courts, English and Scotch traders would be slow to deal with the Irish traders. If an English or Scotch merchant was aware

that the Civil procedure, as altered by the Irish Parliament, was most unfavourable to him as compared with an Irish suitor, he would be slow to treat with an Irish merchant, or to give that credit which was most essential to trade. Therefore, though this might seem a very small matter, it might have a very important effect on Irish trade; and he thought the Nationalist Members would be most unpatriotic and most unwise—though they might think they had sufficient reasons to justify the course they were taking—if they encouraged the chance or the possibility of any breach in the general uniformity of the Commercial Laws, without which there could be no development of trade, which was a matter of great importance to Ireland. They must take Home Rule for better or for worse. The Unionists believed it would be for the worse. If they took Home Rule they must take it accompanied with all its inconveniences to England and to Ireland. It was most unfair, too, that Irish Members should come to the Imperial Parliament, assist in the passing of rules affecting the procedure of the English Courts, and that the Imperial Parliament should have no voice in the Irish Parliament when it set itself to passing laws altering the procedure of the Irish Courts to the injury of the English and Scotch people.

SIR R. WEBSTER (Isle of Wight): I hope this Amendment will receive some further consideration from the Government. I listened to the speech of the Solicitor General, and it did not appear to me that he really understood what was the change the passing of the Home Rule Bill will affect in this matter. The hon. and learned Gentleman was extremely angry because we ventured to point out what will be the condition of things when the Home Rule Bill is passed. The Members of the Government who speak against these Amendments seem to be unable to contemplate that the Bill will pass. They may take that view if they like, but at any rate we are justified in bringing home to their minds what will be the condition of things if the Bill is passed. The hon. and learned Gentleman said that at present there was a reciprocity between the two countries; that writs issued out of the High Court of Justice in England could be served in Ire-

land; and that writs issued out of the High Court of Justice in Ireland could be served in England. We have not the slightest objection to reciprocal relations of that kind between the two countries. But my hon. and learned Friend, in endeavouring to suggest a conclusive argument against the Amendment, will not bring himself to consider what the real condition of things will be if this Bill is passed. The power of altering the Law of Procedure, the Law of Evidence, and the Law of Execution will be in the hands of the Irish Parliament, and we shall not have the slightest right of interference except by causing a conflict between the two countries by passing an Act which would practically be a breach of faith so far as this Home Rule Bill is concerned. Why have the present mutual relations between the two countries for the service of writs been established? Because hitherto Acts have been passed for the two countries by the Imperial Parliament. A Judicature Act has been passed for England and a Judicature Act has been passed for Ireland by the Imperial Legislature. But if this Home Rule Bill becomes law, so far from there being reciprocity between the two countries, the condition of things will be altogether one-sided. Nothing can prevent the Irish Legislature from making a rule that in a case of libel the writ should not only be served out of England, but the action be tried in the Irish Courts. If that were done it may happen that a similar rule would be made in England, or an Act of Parliament passed with regard to the service of writs out of the jurisdiction in respect to cases in the High Court of Justice of England. But that would be an act of retaliation, which would not answer the injustice committed or the hardship inflicted on persons liable to be taken over to Ireland and sued there for actions brought against them in respect to matters entirely and solely connected with England. If you say that the Amendment as it stands is one-sided; if you think it to be unjust to prevent Irish writs being served in England, amend it by preventing English writs being served in Ireland. If that were done I would support any such Amendment. You must remember what the position will be after Home Rule is passed. British subjects are going to be made liable in actions taken against them

*Sir R. Webster*

according to laws passed by an Irish Legislature over which this country has no control. We say that the Irish Legislature ought not to be allowed to inflict serious injury on persons in England who may have committed a breach of the Irish law. The action brought against Lord Salisbury was mentioned, whereupon the hon. Member for Louth said—"Where was the action tried?" It was tried in England. We do not object to that, but we object to be brought under the jurisdiction of the Irish Courts. What we complained of is that laws may be passed and procedure enacted which will be unjust to persons who may in some way have offended the Irish Members. If there is to be reciprocity it ought to be established by the Imperial Parliament where the Members of the different parts of the Kingdom can be heard. I submit, therefore, that the Amendment is reasonable, and that it is necessary for the protection of the British subjects against vexatious and harassing litigation in Ireland.

**MR. T. M. HEALY** (Louth, N.): This Amendment differs from any others that have been yet proposed, in that it has not been proposed with the object of wasting time. It has been proposed out of pure malice; but not having been proposed with the object of wasting time, I think it is deserving of serious treatment. Apparently, it has been proposed by the hon. Gentleman because, he says, of actions having been brought by Irish Members against English statesmen.

**\*MR. GERALD BALFOUR**: I gave that merely as an illustration. I did not say that the Amendment was proposed on that account.

**MR. T. M. HEALY**: As I understand, it has been suggested, at any rate, as one of the advantages under this Amendment, that you could not in future bring actions against English statesmen.

**MR. A. J. BALFOUR** (Manchester, E.): In Ireland.

**MR. T. M. HEALY**: Exactly. No action has been brought in Ireland against any English statesman. There was, of course, the case of the midwife Peggy Dillon, who sued the Irish Secretary in Ireland. Does anybody suggest that the Irish Secretary may not be sued in Ireland? Therefore, what is the relevance of this Amendment? Lord Salisbury



was sued in England by an Irish Member, as he may still be sued in England by an Irish Member. How on earth does Lord Salisbury's action affect the matter? Lord Salisbury's libel—a very unfortunate libel it was—was a libel committed in England, and he was sued in England. What is the relevance of bringing in Lord Salisbury's case as an illustration? It has been said that we do not apply our minds to the question. I applied whatever mind I had to it. The suggestion now is that we may alter the law so as to sue the noble Lord in Ireland. It is said that there may be *ex post facto* legislation, which is so favourable to the Tory Party, for they moved two Amendments in favour of *ex post facto* legislation. Let us take that case. Let us assume that we commenced an action against Lord Salisbury in Ireland. Has Lord Salisbury any property in Ireland on which damages can be levied? The legal thing for you to do is to repeal the Judgments Extension Act. That is an Imperial Statute. You have it in your hands, and the moment the Irish proposed to bring over and implead a number of innocent English gentlemen in that country, it is quite clear that all you have to do is to repeal your Imperial Statute, the Judgments Extension Act. In the name of fortune what good would a Judgment for £1,000,000 in Dublin against Lord Salisbury be to any person? You could not levy it. He has no Irish property. It would be of no use to anybody, and it would be only when the Irish Court by its Judgment obtained the benefit of the Judgments Extension Act, and when you come across to Westminster and register your Judgment, it is only then that the thing would have force or effect. Is not the Judgments Extension Act an Imperial Statute? Are not the rules under it under Imperial authority? Cannot the English Courts make rules dealing with it? And what would be easier if you refused—with that scrupulous regard for Irish rights which this House has always recognised—if you refused to repeal the Judgments Extension Act, what is to prevent you in the Courts making rules as to Judgments in Ireland? As far as we have had any experience of the Judges of the Commission Court, they are not violent Nationalists — Judge Haunen, Judge Day, and another gentleman whose name

I have forgotten. Judge Smith is not a name we usually forget. We have had experience of these gentlemen, and we did not find a great desire or anxiety to do us that perfect justice which we might have expected. These gentlemen could make a rule that if a Judgment of an Irish Court is attempted to be brought across to England they must be satisfied that it is a just Judgment. Therefore, it does seem to me that this is a most remarkable thing. To use a mining phrase, it is the very tailings of debate. But, furthermore, may I suggest to the hon. Member for Mid Armagh (Mr. Dunbar Barton) that it would be a very unfortunate thing for firms like Guinness's Brewery, which have very large relations in England, if you pass such a law; or take the English Insurance Companies, which have large mortgages upon Irish land. The hon. and learned Gentleman the Member for the Isle of Wight (Sir R. Webster) said that we should have reciprocity: that Englishmen should not have the run of our cupboard against us without our having the run of their cupboard against them. Take the case of a man who seeks to execute in England a mortgage on Irish property. There would be no power of process whatever from Westminster across to Dublin under the proposed suggestion of the ex-Attorney General. How are you going to get at this Irish property? The simple answer is, leave it alone. You have the power in your hands to make the basis of English laws apply to Ireland just the same as before. But, finally, the clause absolutely is inoperative. Supposing it was passed, it would make no difference whatever. I pointed out that without the benefit of the Judgments Extension Act such a process as is referred to in the proposed clause would be absolutely useless. You can repeal that Act. Suppose that it was the case of a gentleman who had Irish property. Very well. There is nothing to prevent the Irish Courts making a rule that service on that gentleman on his Irish property would be good service. There is no provision as to domicile. No doubt, the right hon. Member for Bury (Sir Henry James) will put down a domicile Amendment. I make that suggestion to him, to be considered in his leisure moments. I do not think that it would be at all unrea-

sonable—Lord Clanricarde, for instance—that a person owning half a county might reasonably be served in Ireland at his castle at Portumna. As the question of domicile has not been touched let us assume that the Irish Courts held that any gentleman who owns half a county might fairly be considered to have a domicile in that county. That being so, you can easily come at any gentleman resident in England who had property in Ireland. But then, I suppose, there must be persons who have domiciles in both countries, and their case, unfortunately, is not provided for, so that absolutely you might have a man who might have English property and Irish property, and because he had an English domicile he could not be sued at all, which, as has been once observed in this House, is absurd.

\*MR. BUTCHER (York) said, the object of the Amendment was different from that of every other Amendment moved by the Opposition. Its object was to protect English and Scotch subjects from harassing litigation. The Irish Legislature might so alter the civil procedure of Ireland as to impose upon English and Scotch subjects an extremely unpleasant and harassing course of litigation. Take the case of a contract formed in England between an Englishman and an Irishman domiciled in Ireland. If the contract were broken in England, according to the existing law the Irishman would have to seek his remedy in the English Courts. But it would be quite in the competency of the Irish Legislature so to alter the rules of procedure as to place it in the power of the Irishman to inflict on the Englishman harassing litigation to which he could not now be subjected. Under the law as it stood, Judgment obtained in Ireland could be enforced in England. But, said the hon. and learned Member for North Louth (Mr. T. M. Healy), the Judgments Extension Act could be repealed by the English Judges. He should be surprised to hear that a Committee of Judges could repeal an Act of Parliament; and until he was corrected by some authority, he would believe that the Judgments Extension Act would continue in force. The Solicitor General had offered only two arguments against the clause. One was that if the Irish Legislature tampered with the procedure

of the Courts an Imperial Act to checkmate it could always be passed. There were two answers to that argument. The Solicitor General might view with indifference the multiplying of causes of conflict between the Imperial Parliament and the Irish Legislature; but the object of the opponents of the Bill was to avoid these possible causes of difference. Then, again, if the argument that the Imperial Parliament could pass an over-riding Act of Parliament was a good one, it would make every single restriction in the Bill unnecessary. The object of these restrictions was to prevent possible causes of conflict between the Imperial and the Irish Parliaments by preventing the Irish Parliament from travelling into provinces which they had no right to travel upon. The Solicitor General gave another reason against the clause. He said—"I object to one-sided dealing." The very reason why the clause was submitted was to prevent one-sided dealing. As the matter stood at present, the Imperial Parliament only made laws for the service of processes out of England in Ireland and out of Ireland in England. The Solicitor General proposed that the Irish Parliament, in which the English people would be unrepresented, should have the power to make laws for the service of processes in England out of Ireland. The opponents of the Bill did not want that one-sided dealing. They desired to retain in the Imperial Parliament the power of making laws for the service of processes in Ireland out of England, and in England out of Ireland. What they objected to, and what they endeavoured to prevent by this clause, was that it should be left in the power of the Irish Legislature to harass English and Scotch subjects by a new procedure in litigation, differing from the procedure now in force between the two countries.

\*MR. DODD (Essex, Maldon) said, the object of the Amendment, as he understood it, was to degrade the Irish Courts, and the reason assigned was because of the antecedents of the Irish gentlemen who would probably constitute the Irish Judges. He ventured to think the object was not one of which this House would for a moment approve. It was perfectly true, as stated by the hon. and learned

*Mr. T. M. Healy*

Member for Mid Armagh (Mr. Dunbar Barton), that before the Union the Irish Courts did not exercise the power of sending their writs to England, and the same thing applied to foreign countries. The reason was that in those days there was not so much commercial enterprise or so many contracts of an International character made by British subjects. But as commerce grew it was found necessary for the Courts of the country to issue writs outside their actual territorial limits; and the general rule at present was, in most countries and most colonies, that wherever there was a contract made and broken within the jurisdiction, though the persons to be sued were outside, for the Court to assume jurisdiction and send process outside. They did that with regard to France, and France did it with regard to this country, and it was the same with the Colonies. What the new clause proposed was to place the Irish Courts in a different position to that of the Courts of every other civilised country. He ventured to think the House would not for a moment assent to a clause that did that. It seemed to him that if the Irish Parliament or the Irish Executive were likely to appoint Judges who were not fit for their posts, the remedy was not to be sought by endeavouring to cripple the Courts by Amendments of this kind, but to deal with the matter under other clauses in the Bill—by keeping more control over the Courts. Whether that was wise or not he did not now propose to inquire, but he submitted to the House that it could not be right to impose on the Irish Courts this limitation, placing them in a position inferior to those of the colonies and of foreign countries.

MR. ROSS (Londonderry) could quite understand the vehemence of the hon. and learned Member for North Louth (Mr. T. M. Healy) in opposing this Amendment, but he had great difficulty in understanding the strong expressions used by the hon. and learned Member who had just sat down (Mr. Dodd). The hon. and learned Member for Louth (Mr. T. M. Healy) took the whole matter as a personal affront; he had destined himself as one of the future Irish Judges; and in that capacity, as he would have to make rules, he thought it an affront to himself for any Englishman to imagine he would not make rules

perfectly fair for Englishmen and Scotchmen who might come under his jurisdiction. But as for the hon. and learned Member who had just sat down (Mr. Dodd), he had stated the intention of the Amendment was to degrade the Irish people, owing to the antecedents of the men who would be appointed. He (Mr. Ross) listened most carefully to the speech of his hon. Friend who introduced the Amendment, and he most carefully guarded himself against any such intention; he expressly stated it was not for that reason at all, but for a reason that must be patent to the mind of every commercial man, and that was that the Courts over whom the English and Scotch people had no control whatever should not be permitted to make these rules affecting their commercial position in the future. That was a plain, common-sense position to be taken up, and how had it been dealt with? The argument of the hon. and learned Solicitor General (Sir J. Rigby) had been dealt with by hon. Members who had preceded him, but the hon. and learned Member for North Louth (Mr. T. M. Healy) said the first thing they should do was to repeal the Judgments Extension Act. That was a large order; that was an Act that was most important with regard to both England and Ireland, and the first thing the hon. Member proposed was to repeal that Act. Not to give the Irish Legislature or the Irish Courts the power to issue writs for service out of the jurisdiction was comparatively a small matter in comparison to such an extreme step as the repeal of the Judgments Extension Act. What they said was that as this was a matter that dealt with their own commercial men, it should be dealt with by the Imperial Parliament, and he supported this Amendment, not maliciously as was insinuated by hon. Members on the other side, but in the sincere belief that if the Amendment were not carried it would very much tend to diminish legal business in Ireland. They all knew there was nothing so sensitive as commerce or capital; and if the great traders who sent over large quantities of capital and who dealt extensively with Ireland once got it into their minds that in case of litigation they were to be dealt with by Judges appointed by the Irish Legislature over whom they had no control, he had no doubt they would refuse to deal

at all with Ireland, and in that way great injury would be inflicted upon Ireland. He submitted the Amendment was one that ought to be carried, and he also believed that if it was not serious injury would result to Ireland.

MR. WADDY (Lincolnshire, Brigg) said, that to him it seemed this was about the most extraordinary Amendment that had been put down in the whole course of the Bill. This was not a question as to any right of action, or as to any good and honest custom, but was purely a matter of procedure. The argument was that some person in Ireland, having a perfectly good cause of action against another person who would not come to Ireland to be served, and who avoided all service and avoided all action by the simple process of living at Birkenhead, Liverpool, or Holyhead for the matter of that, was to be prevented from calling upon his debtor to pay his debt, and that the debtor was to be protected by the simple process of remaining away. When they had done with these extremely fanciful notions that had been advanced that was what it came to. In order to obtain the debt the creditor in Ireland must go to Holyhead with his witnesses, and perhaps have to come to London to have the case tried. That was the suggestion, and he considered it was an exceedingly absurd one. It was one that found favour with them a good many years ago, but they had had the common sense to destroy all that. But having got rid of it now, what was proposed was to reenact half of it for Ireland; that was really the calm proposition laid before the House of Commons at this day. When they came to consider what was wanted, he thought they would treat it—he said it good humouredly—with the contempt it deserved. It meant they were to introduce for the first time a permanent protection of the absentee landlords from being attacked on any contract they might make in Ireland. He hardly thought they should lend themselves to a scheme so simple, but at the same time so monstrous and so wrong.

\*SIR A. ROLLIT (Islington, S.) was glad to hear the hon. Member for Mid Armagh (Mr. Dunbar Barton), who moved the Amendment, say that this matter was not to be regarded as a

*Mr. Ross*

Party question. From his point of view, it was a question of equity. He did not hesitate to say, if the question were whether uniformity of procedure should be maintained, the arguments on that point were complete; and when the question of uniformity of action with regard to bills of exchange was before the House, he took that view and supported the expression of opinion entertained on that (the Conservative) side of the House; but he could not see that this matter, at any rate in this Amendment, did involve any question of uniformity of procedure. He would like to ask those who advanced this point whether they realised that if this clause was carried it would put Ireland in a worse position legally for the assertion of her legal rights than any foreign country. If that could be answered in the negative he admitted that what he was going to advance might be capable of considerable answer; but if, on the other hand, the view he ventured to take—and he ventured to take it without presumption—was correct, there could be no worse precedent than a step of this character, which would be fatal to Imperial unity of feeling and action. What was the law on this subject? The late Attorney General (Sir R. Webster) had put it that if anyone went over to Ireland there could be no objection to his being sued. But this was a question of legal jurisdiction. Many facts might give jurisdiction. Residence was one, but the origin of the cause of action was another one; and that was probably the most important of all, because in the service of writs out of the jurisdiction the main point in the affidavit on which leave must be obtained was whether the cause of action originated within the jurisdiction. If a contract arose in France and was broken in France, the action could be taken in the French Courts; and if Judgment were so given against a domiciled Englishman, execution could be issued by an English Court without even going into the merits at all, by what was called the comity of nations. And now if this clause passed that which could be done daily with France and other countries, which did not divert commerce—a consideration which did not prevent their entering into commercial transactions—could not be done in Ireland. The clause said that—



"From and after the appointed day no writ of summons nor other civil process shall issue from any Court in Ireland"

against any British subject not resident in that country. In his opinion, that was not in accordance with the lines of modern jurisprudence—not in accordance with the development of Commercial Law which was becoming daily of a more International character, and which afforded more facilities for the serving of writs. After that, and in vindication of this clause, they were told that rules should be made by which such a Judgment should not be executed. There was one case where our Courts would not issue execution, and that was where it was contrary to natural equity; and if it were attempted to execute a Judgment on process which had never been served, or the like, in such a case, notwithstanding the Judgments Extension Act, they would refuse to take a course not founded on natural equity. If he was right in his view, he could not vote for the clause. He could not place Ireland in a worse position than foreign countries; and if he was wrong, he should regret having taken a view opposed to his Party, but which he believed, in justice to his own conscience and in his independent duty to his constituents, he was bound to take.

\*SIR H. JAMES (Bury, Lancashire) said, the speeches of the two learned Gentlemen on that side of the House (Mr. Waddy and Mr. Dodd) had filled him with astonishment, and he thought they must be labouring under forgetfulness of what was the law in this country. Under the law now, as established by the constituted authority, by Rule under the Judicature Act, they had no power to serve a writ upon a resident in Ireland if he were domiciled in Scotland or Ireland. By Rule 3, Order 11, it was provided that—

"Service out of the jurisdiction of a writ of summons or notice of a writ of summons may be allowed by the Court or a Judge whenever the action is founded on any breach or alleged breach within the jurisdiction of any contract which, according to the terms thereof, ought to be performed within the jurisdiction, unless the defendant is domiciled or ordinarily resident in Scotland or Ireland."

That was the Rule which, by statutory authority, our Courts had laid down, so that they could not, if a person was domiciled in Scotland or Ireland, as distinguished from his being a passing visitor,

they could not, out of the English Courts, issue a writ in an action of contract against that person, although the contract had been made here and was to be performed here. The Amendment had followed those very words, that it should not issue

"Upon any person domiciled or ordinarily resident in England or Scotland."

Now, might he ask where came in the indignation of his hon. and learned Friend the Member for Lincolnshire (Mr. Waddy), who said it was monstrous to do what the Judges, under their statutory power, had thought it right to do in actions of contract as regarded Scotland and Ireland? This was not a question of one country extending its own jurisdiction and enforcing it upon another; the point of difficulty here was that a person might be resident and domiciled here, but might have chattels and property in Ireland, and the Irish Courts might issue execution against the chattels in Ireland, even though the cause of action did not arise in Ireland. When his hon. and learned Friend expressed such indignation at Amendments such as these, perhaps it would be better if he recollected that they were now about to give to another country power to make laws and to appoint Judges, and we should have no power to control that country so as to rest the community existing between the two parts of the United Kingdom upon this Parliament and not upon the subordinate Parliament which would practically be free from the supremacy of the Imperial Parliament. The proximity of this country to Ireland required safeguards more than was the case with our Colonies. The indignation of the hon. and learned Member for Lincolnshire (Mr. Waddy) was not justified either by the Amendment itself or the very able argument of his hon. and learned Friend the Member for Mid Armagh (Mr. Dunbar Barton).

MR. A. J. BALFOUR (Manchester, E.): I acknowledge some hesitation in intervening in these technical arguments. ["Oh, oh!"] No doubt the hon. and learned Gentleman the Member for Donegal (Mr. Mac Neill), who interrupts me, is eminently fitted to shine in them. I do not profess to have the same depth of learning he so often displays in the

Irish Courts ; but I wish to explain why I shall vote for the Amendment of my hon. Friend. I shall vote for it on certain broad principles of equity, which seems to me to be involved in the proposition he has laid before the House. Before coming to the substance of the Amendment, I may say one word on the extraordinary argument submitted by the learned Member for Louth (Mr. T. M. Healy) and entertained by other speakers who have spoken in this Debate. He said—"What harm can it do to bring an action against an Englishman, because he would have no Irish property over which the Irish Judges would have any jurisdiction? What is the use of condemning Lord Salisbury in costs if he has no Irish property on which the costs can be levied." Lord Salisbury may be in the happy position of having no Irish property ; that I do not know ; but it may also be the fact, and I say it will be, that after the passing of the Home Rule Bill everyone domiciled in England and Scotland will, with the utmost expedition and despatch on their part, remove all their property from Ireland ; but for the unfortunate remainder who may not be able to realise some consideration should be extended, even by the hon. and learned Member for Louth. The learned Member for one of the Divisions of Lincolnshire said—"Is it not contrary to common sense to go back to a condition of things that may have been tolerable in the last century, but which is not tolerable now ; is it not absurd to go back to a time when England and Ireland were treated for these purposes as different countries ; is it not necessary to keep up that reciprocity that has existed for many years past?" I agree that common sense demands there should be intercommunication between England and Ireland, and common sense had its own way in 1800 ; but in 1893 common sense has gone to the wall in these matters, and we are only endeavouring to fit details into the general principles of that measure which certainly are not inconsistent with common sense. We have got to face the fact that by this Bill Ireland is for many purposes—and for the most important purpose for which civil government exists—to be made a different country to England ; and what we have got to do is to see that the English subjects of

*Mr. A. J. Balfour*

Her Majesty shall be protected from oppression which may be attempted from Irish Courts and the Irish Executive over which the British Courts and Executive have no control whatever. My hon. Friend the Member for South Islington (Sir A. Rollit) said he could not support this Amendment, because it would put Ireland in a worse position, as against persons domiciled in England, than either France or any other Foreign State. Though that is a legal matter, still I do not think my hon. and learned Friend is rightly advised. There is, at all events, this fundamental distinction : that while, no doubt, the French Court may take what action it pleases with regard to a person domiciled in England when it has taken its action and brought in a verdict, it cannot enforce it upon English subjects.

\*SIR A. ROLLIT : I am sure the right hon. Gentleman will allow me to repeat what I said, which was that, if a Judgment was brought over, it could be sued upon in an English Court without any inquiry whatever as to the facts of the case, if the jurisdiction of the foreign Court was established.

MR. A. J. BALFOUR : I will not enter into a conflict in legal matters with my hon. and learned Friend, but I do understand, from those more learned than I, that it is easy to set up a defence which the English Courts would regard. But, at all events, my hon. and learned Friend will admit that, after Judgment, a British subject is not in the same helpless position as regards the Foreign Courts as he undoubtedly is with regard to the Irish Courts. There is a broad distinction between a British subject against whom a verdict is returned in a Foreign Court and that same British subject against whom a verdict is returned in an Irish Court ; therefore, so far from the position of Ireland—if this Amendment be passed—being worse than France or Germany in respect of persons domiciled in England, really the very reverse is the case. The broad fact this House has got to consider is this : We are instituting in Ireland a Legislature and an Executive which will make the law and appoint the Judges without our control and without any effective power of interference on our part. In the course of this Bill we have endeavoured to protect, against

what we regard as the injurious operation of that new system, subjects of Her Majesty resident in Ireland. We now want to protect subjects of Her Majesty not resident in Ireland but in England. Surely one of the most obvious and plain duties is for this House to see that if mischief should be done in Ireland by the new system, those mischiefs, at all events, shall not be permitted to extend to the subjects of Her Majesty domiciled in England or Scotland. That appears to me a question of plain justice, and I hope, Sir, through all the mists of technicalities with which inevitably this subject is shrouded and covered, the clear principles of justice and public policy which require an English subject to be safe in England against any oppressive practice in Courts over which we have no control should be maintained; and as no other suggestion than that of my hon. Friend has been brought forward for carrying out that undoubtedly desirable object, I say, unless further argument be urged by gentlemen opposite against the course I am about to pursue, that I shall certainly support the Amendment.

MR. J. CHAMBERLAIN (Birmingham, W.): The Debate, I believe, is to a large extent a technical Debate. Of course, so far as that is the case, I do not feel myself competent to take part in it. There is one practical point, I believe, which has not been touched upon, and which I think ought to be of great interest to politicians in this House, to whatever Party they belong, and especially to their Leaders. I say it ought to be of interest to politicians of both Parties, because although it is possible that one Party now may feel that at present, at all events, they are not likely to be subjected to any hostility on the part of the Irish Members opposite, no one can say that the circumstances may not entirely change in the course of a few years, and those who now are regarded with most friendship by hon. Members opposite may not, in a very short time, find themselves in a totally different situation. We have seen changes quite as remarkable. We could quote the case of very distinguished politicians who at one time, only a few years ago, accused them (the Irish Members) of almost the greatest crimes, and as to whom, a short time afterwards,

the same persons—their own accusers—expressed themselves as willing to black their boots. The point which I want to bring to the attention of the House—of the Government—is the position in which we shall be placed, if this Amendment is not carried, in regard to prosecutions for libel. There was, some time ago—I am not quite certain whether it happened between the years 1880 and 1885 or between 1886 and 1892—but in one of those periods there was a statement which appeared in all the Irish papers to the effect that the Nationalist Party had appointed a committee whose business it was to read with care all the English newspapers, and to see whether in these English papers, either in the articles or the reported speeches, there was anything which could by any possibility be construed into a libel upon any of the Irish Party or upon any Irishman, and I believe it was the duty of this committee in such cases to take the necessary proceedings. I remember when that announcement was made I thought it added a new terror to political life. At the same time, it was certainly done under these circumstances. Even if this committee thought that a libel had been uttered, they would have to try the case, whether in Ireland or in England, before Judges who were appointed by the Imperial Parliament, and who probably would act according to precedents and English law. Now that is to be entirely changed, I want to know what would be my position; for instance, suppose after the Home Rule Bill is passed, I go to Birmingham or Leeds and accuse certain Irish Members of marching through rapine to the dismemberment of the Empire? Suppose I were to say they were preaching the gospel of plunder? [Mr. T. M. HEALY: Ransom.] Suppose I were to say they were steeped to the lips in treason? All these are statements I should not hesitate to make at the present time, and I am perfectly willing to stand my chance of an action for libel in case I did say them, and in that case I should certainly justify them, and I should have no hesitation in anticipating a favourable verdict, whether from a Court in Ireland or Great Britain. But under this Bill the circumstances might be entirely changed. You might have a new lot of Judges, new laws, and, above

all, new procedure, and it certainly would be rather an uncomfortable reflection in making a speech of that kind—which certainly does not go beyond legitimate criticism, which all politicians allow to themselves in regard to their opponents—if I was to have a libel action entered against me in Ireland and a verdict given against me according to the new views of Irishmen in regard to the Law of Libel, and that then if I had property in Ireland, to have that property attacked, and if I had not to have the Judgment brought over here, and, as the hon. and learned Gentleman opposite (Sir A. Rollit) said, to have the Courts here incapable of entering again into the facts of the case, but obliged only to see whether it is a legal Judgment; and if they hold the Judgment against me was legal, then to enforce that Judgment against my property in this country. I really think I have contributed a practical illustration to the discussion, and I cannot help thinking there are even right hon. Gentlemen on that (the Government) Bench who would find their eloquence very seriously curtailed if they were liable to be brought to book in the way in which they can be brought to book unless an Amendment of this kind is adopted.

MR. JUSTIN MCCARTHY (Longford, N.): I do not intend to occupy the time of the House for more than two or three minutes, and I shall not go at all into the technical question just now under debate. I only want to reply, as far as I can, to one statement made by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), who has brought into this short discussion, into the few sentences he spoke, some of that remarkable imagination and some of that remarkable bitterness which, blended together, made up so many of his contributions to discussions on Irish questions. The right hon. Gentleman told us that there was some committee got up by the Irish Nationalist Party to investigate and discover and follow out actions and causes for libel against opposing Members of Parliament. I think if such a committee had been organised or got up or suggested or talked of at all it might have plenty of work before it. But I think also that the existence of a committee of that kind, or a suggestion of a

*Mr. J. Chamberlain*

committee of that kind, would somehow or other have found its way into my knowledge and the knowledge of my hon. Friends around me. I have only to say that so far as I know—so far as my friends around me know—there never was such a committee suggested, there never was such a committee thought about, and that argument must go to the limbo of other arguments for which the right hon. Gentleman the Member for West Birmingham is mainly responsible.

Question put.

The House divided :—Ayes 147 ; Noes 198.—(Division List, No. 266.)

\*MR. HENEAGE (Great Grimsby) proposed an Amendment to the effect that the Preamble should be omitted. He called attention, first, to the fact that the Preamble had never been discussed; and, secondly, that they were discussing an entirely new Bill. This Bill, when introduced by the Government, was introduced to set up an Irish Legislature, which was to be a subordinate Legislature, and also there was not to be full retention of the Irish Members. It had been alleged against the Unionists that the retention of the Irish Members in that House for all purposes was due to them. He had denied that before, and he denied it again. They had never been in favour of an Irish Legislature, or of Home Rule; but what they had always said was that they were willing to retain the Irish Members in that House and also to give local self-government to Ireland. It had been decided by the House that they were to retain the Irish Members there in full possession of all their powers. He objected, therefore, to their having an Irish Legislature in Ireland in addition, so that they would have power altogether in Ireland, and have power in England also. But that was not his only reason. He objected to the Bill, because it did not carry out the conditions which they were told were to be the conditions in which the Irish Legislature should be created. It was founded on these five conditions—First, that the Imperial unity was to be maintained; second, that there should be equality of all the Kingdoms; third, an equitable re-partition of Imperial charges; four, protection of minorities; and five, a real and a continuing settlement. Those,



they were told, were the principles upon which alone the granting to Ireland of a subordinate Legislature should be based. Had these conditions been supplied by this Bill? In the first place, they had not got a subordinate Legislature, and, in the second place, Imperial unity was not maintained. How could Imperial unity be maintained under the Bill as it stood? They had only discussed about one-fourth of the Bill, and of the rest of the Bill probably one-fourth was entirely new, and not only new, but entirely opposed to the clauses in regard to the Irish representation and finance which were in the Bill at the time and during the first part of the Committee stage. This Legislature in Ireland was not to be a subordinate Legislature; words were moved to render it so, but the Government refused to accept them. They now knew the powers which the Government proposed to confer upon it; and they knew that it was the kind of legislation to which the Chancellor of the Exchequer (Sir W. Harcourt) said he would never be a party. [*Laughter, and "Hear, hear!"*] Yes; for the Chancellor of the Exchequer was at that time in favour, he thought, of a subordinate Legislature, but the hon. Member for Waterford (Mr. J. E. Redmond) told them he would have Parnellite Home Rule; and Parnellite Home Rule and the Fenian Home Rule which the right hon. Gentleman said he would never have, were one and the same thing. Then there was the question of equality between the two countries.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): Mr. Speaker, upon a point of Order, I wish to ask you whether, in discussion upon the Preamble, it is competent to go into the subject of the policy of the Bill, and to make a Second Reading speech?

MR. SPEAKER: On Report the whole Bill is open to review. In what I say, I do not want to favour one side more than another; but I am bound to say that a Second Reading discussion upon the Report stage seems to me extending the limits of discussion upon Report to an unusual degree. But I cannot say that it is out of Order, because the whole Bill is open to review. I hope the discussion will be confined to those parts of the Bill which were not discussed

in Committee. In what I say I appeal to both sides of the House, without the least desire to interfere with freedom of discussion.

\*MR. HENEAGE said, he did not desire to go over the ground that had been covered by the discussion in Committee; but he thought he was entitled to point out on the Preamble the character of the Bill as it now stood. He, of course, accepted the ruling of the Chair, and he would not speak at much length, his desire being merely to show how different the Bill now was, as it was before the House, from the Bill as it had been introduced. He had mentioned one particular in which the difference was apparent. He would deal with others very briefly. In regard to the question of equality between England and Ireland, there was no longer any equality. They were setting up a Legislature in Ireland which would not only give the Irish uncontrolled power over everything in their own country, but would allow them to govern everything in this country also. If that were the equality that they were promised they must have misunderstood the Prime Minister when he introduced his Bill. One of the advantages promised from Home Rule was that the Irish would be given the management of their own affairs, and that they would no longer have those affairs disposed of in this House. That condition had not been complied with. Then there was the question of the equal re-partition of Imperial charges; if they were equal under the Financial Clauses as originally drafted under the undiscussed clauses now withdrawn, there was no such equality now. And if they were bad in one case, they were ten times worse at present. The effect of the clauses would be that extra taxation would be imposed upon Great Britain equal to a rate of 1d. in the £1 on the Income Tax, or 6s. 8d. per head of the British electors, or an average contribution of about £3,500 from each British constituency. He thought the constituencies would not be much in love with Home Rule when they found that they would have to pay this for the pleasure of allowing the Irish to govern their own affairs and those of England, Scotland, and Wales as well. The fourth condition laid down was with regard to the protection of

minorities. What had been done? Were minorities protected? They had given power to those who had not shown much tender mercy for the minority in Ireland in the past to suspend the Habeas Corpus Act; to confiscate Dublin and Belfast Universities; to pass *ex post facto* legislation, to control all Criminal Law, and to administer the Land Laws. Yet they said there was protection for the minority! Where was the promise given on the introduction of the Bill? Then, again, they were told that there was to be finality of the Bill. They were to have that; but instead they had the subjugation of England, Scotland, and Wales to Ireland, and there was the only finality whatever under those circumstances; there was not even a pretence of finality, or of a real or continuing settlement, in regard either to the arrangements for Irish Members, the financial adjustment, the Judicial and Police arrangements, or the Land Question. All these questions were left over to be settled again, and it could not be said, therefore, that there was any finality. He, therefore, said that the promises upon which the Bill had been brought in had not been fulfilled, and on that ground he said the Preamble ought to be rejected. The Bill was practically a new one in all its most essential principles. What did a Radical writer say the other day. He said—

"The Bill which was read a first and second time is not the Bill which is now before the Committee. The abandonment of the Financial Clauses and the sacrifice of the 9th clause confront the House with what is practically a new Bill."

That was the opinion of Mr. Stead. [*Laughter.*] Well, if hon. Members did not now regard Mr. Stead as a Radical, his opinion was confirmed by the hon. Member for Northampton (Mr. Labouchere) in his farewell letter to his constituents, and perhaps it would be allowed that that gentleman was a Radical. It was too late in the day, now that they had reached August, to commence *de novo* to break up the Constitution. He asked them, therefore, to reject the Preamble of a Bill which would not, at any rate, become law this Session.

Amendment proposed to the Bill, in page 1, line 1, to leave out the Preamble.—(*Mr. Heneage.*)

*Mr. Heneage*

Question proposed, "That the Preamble stand part of the Bill."

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) was understood to say that his right hon. Friend had undertaken, on the ruling of the Chair, that he would not go further in the discussion of the Bill at this stage.

MR. HENEAGE said, he said that he would not go fully into the questions he wished to raise. If he said "further" it was a slip of the tongue.

MR. W. E. GLADSTONE said, the question before them was a narrow one; but his right hon. Friend had delivered a Third Reading speech on his proposal to exclude the Preamble. Mr. Speaker had declared—and any declaration he made the House was ever ready to accept—that the making of such a speech at that stage could not be pronounced disorderly; but he also proceeded to say that it was unusual, and that it extended the limits of Parliamentary practice. Perhaps he (Mr. W. E. Gladstone) might be allowed to add a supplement to that declaration. He could not go back beyond 1832. He could not undertake to say what occurred before that year; but since that year 1832 no speech like that of the right hon. Gentleman had been delivered in that House in order at this stage of a Bill to continue debate on the lines of a Third Reading Debate. He did not think anyone was bound to follow the right hon. Gentleman's example. They (the Government) were in favour of the Bill, and the right hon. Gentleman opposed it; they thought it fulfilled the objects they had in view; and he (Mr. Gladstone) thought he was precluded by prudence, policy, and precedent—he was sorry he had lost any authority he might have possessed over the right hon. Gentleman—but he was precluded by these considerations from following him into a discussion of the merits of the measure, and he thought they should confine themselves to the simple proposition which was before them.

\*MR. GOSCHEN (St. George's, Hanover Square) said, the right hon. Gentleman told them that, so far as he could remember, no such speech as that of the right hon. Gentleman (Mr. Heneage) had been made on the Preamble of a Bill since 1832.

**MR. W. E. GLADSTONE :** On the Report stage of a Bill.

**MR. GOSCHEN** said, the right hon. Gentleman had an extraordinary memory, and his experience ranged over the time to which he alluded ; but he would ask him whether, during those 60 years, he had ever approached the Report of a Bill under the conditions which now prevailed ? The right hon. Gentleman always remembered the precedents on one side, and closed his eyes to the precedents on the other. He should like to know whether the great statesmen who, in the course of those 60 years, were associated with the right hon. Gentleman, would not be surprised to hear that the "guillotine" had been applied to the Bill ? Notwithstanding the length of the Debates on the Bill, the right hon. Gentleman had never seemed to appreciate the enormous importance of the principle that underlaid the details of the Bill. Twice to-day before had he complained of the months that had been employed upon the Bill, and of the 90 days which might ultimately be employed upon it. But could he not bring himself to see, as the country saw, that this Bill was one introducing more vastly important changes than had ever been submitted—that this was not only a Bill for establishing a Legislature in Ireland, but a Bill which, when that Legislature was established, was to reconstitute the various points in which different interests of the two countries might touch, or clash, or harmonise. The country would say that the time given to such a Bill was none too much, as he did not think it was believed when the question was first approached that they would have to contend with all this machinery, all these changes, difficulties, and impossibilities they had dealt with during the time they had been engaged upon it. The right hon. Gentleman was not, therefore, justified in expressing any surprise that opportunity should be taken to deal at this stage with matters which had not previously been discussed. He said that a Third Reading speech had been made. It was not a Third Reading speech, for they did not know what changes would yet be made before that stage was reached. They remembered the changes that the Government introduced in Committee, and a Third Reading speech might have to assume a different

form from that which his right hon. Friend had delivered. Nevertheless, putting aside the question of the fairness of this discussion and the question of precedent, and not wishing to make any Third Reading speech, he (Mr. Goschen) would refer to the wording of the Preamble, and ask whether the authority of Parliament was restricted by this Bill ? Hon. Members below the Gangway (the Irish Members) would not vote for the Bill if it did not restrict that authority. The right hon. Gentleman told them that that authority remained—that the Preamble retained it. But the Preamble did nothing of the kind. It contained the words "without impairing or restricting the authority of Parliament"; but the whole Bill restricted that authority, and the Irish Members asserted an understanding that the authority was only to be exercised on certain occasions. Was that not restriction ? The words of the Preamble were an attempt to throw dust in the eyes of the people. He said that the supremacy of Parliament was impaired and the authority of Parliament restricted, and he said it was wrong to put into the Preamble such statements as were contained in it as long as the Bill proceeded on other lines.

\***MR. BARTLEY** (Islington, N.) said, he thought it reasonable that a few words should be said upon the Bill at this stage of the Debate. Nothing was more strongly urged by the Prime Minister and the Chief Secretary when the Preamble was last before them than that it was to be the great protecting clause for Great Britain. They were always told—and it was repeatedly impressed upon them—that the Preamble of a Bill expressed in clearer terms the meaning of the measure. There were those who thought that a Preamble was merely a remnant of the past, and that it was not bound to affect the measure when it became a Statute. But in this case they were told that there was no necessity for being alarmed upon this subject. In his opinion, posterity would say that the conduct of the Prime Minister in the Committee stage of the Bill was the greatest slur upon his memory, for they had had discussion closed upon four-fifths of a measure which proposed to alter the whole Constitution.

SIR C. DILKE (Gloucester, Forest of Dean) : Question !

\*MR. BARTLEY said, if he was wandering from the Question Mr. Speaker would correct him. The great question now before the House was the Preamble of the Bill, which contained the words, "without impairing or restricting the supreme authority of Parliament," and he might say that that authority was impaired in every clause and section of the Bill. Could they possibly vote for the Preamble affirming so distinctly the supreme authority of Parliament whilst in the Bill almost every line impaired that authority? No one could complain of the length of the speech of the right hon. Gentleman opposite (Mr. Heneage). It was very short, and touched upon a few points in which the Bill affected the supremacy of Parliament. There was the question of the retention of the Irish Members. It was the first time in the history of this country that it was proposed to allow men to come here who had no responsibility from their constituents to legislate upon the questions that would be dealt with by that House. That appeared to him to be undermining in the most serious manner the supremacy of Parliament, because it recognised the right of two distinct classes of Members to come to that House, one of whom, as he said, would have no responsibility. Another vital matter was that this was not a final measure. It did not settle this great question. As they had gone on, from week to week and month to month, they had learnt almost daily that there was some point or other that was not final. A most serious matter was that the Parliamentary balance was placed in the hands of the Irish Members. The Prime Minister said there would be a balance of about 50 Nationalist Members in that House from Ireland, and that, as there would be about 600 from Great Britain, it was impossible to think that those 50 would interfere with the working of the House to the detriment of Great Britain. That, however, seemed to him another way in which Parliament would be affected. In the history of Constitutional Government they always found two sides; and, as the Irish Members would be here, questions would be decided, not upon the strength of what Great Britain felt or upon the merits of

British questions, but upon the way in which the Irish balance chose to vote. The proposal struck at the root of the supreme authority of this Parliament; and he ventured to say that, having such a proposal, the Bill could not in fairness be said to be a Bill which carried a Government to Ireland without impairing or restricting the supreme authority of this Parliament. Then there was the question of finance. Would anyone say that, if the Bill became law as it now stood, there would be supremacy in regard to finance? He said there certainly would not be. These were matters of enormous importance to their constituents; and if the Bill should pass, the fact would remain that the whole finance of this country would be decided, not only by those who had to pay the taxation, and by their Representatives, but also by the Members from Ireland, who would not be called upon to pay their fair share. That seemed to him enormously to impair the supreme authority of Parliament. They had always considered that when financial matters were being decided by the House all Members were on a par—all Members had regard to the interests of their constituents and the country at large. But the superiority of Parliament was being undermined in this respect, for there would be a large number of Members present who would have to decide on questions of taxation without themselves being personally interested. Under these circumstances, the Preamble must be, to a great extent, a misnomer and out of place. He did not wish to discuss the various details of the Bill now. He only desired to raise a solemn protest at the supreme authority of this Parliament, which was a tradition of the country, and the backbone and mainstay of the Empire, and which had always been the envy of the whole world, being undermined and destroyed by this measure, and being subjected to an attack from which it could never recover if the present Bill passed. Therefore, though it might seem strange on the Report stage to consider the Preamble, they had a perfect right to do it. Indeed, it was their duty to draw these matters to the attention of the House. Some said that these matters should be left entirely to take their chance; but they who had inherited this great Empire—[Laughter]—was there anything to laugh



at in that? Were the Radical and Irish Members, who laughed at that, men who were likely to be anxious to maintain the supreme authority of Parliament? [*Cries of "Divide!"*] They cried "Divide!" The only notion some hon. Members had was to divide whenever there was any matter in dispute. This Bill might well be called a "Bill of Divisions." It was to divide them all and the Empire up.

MR. SPEAKER: The whole Bill is clearly not now before the House. The hon. Member has been within his right in discussing the Preamble; but if the whole Bill is considered it will be a violation of the Standing Order No. 40, which says that when a Bill is brought up on Report the House do proceed at once to consider the clauses of the Bill without general discussion of the Bill as a whole. The Preamble, is to all intents and purposes, a clause, and should be considered as such, and the discussion upon it should be as much confined to it as discussion on a clause.

\*MR. BARTLEY said, he had been led away by interruptions. He had been trying to deal with the supreme authority of Parliament, which was the great point in the Preamble. All he further wished to say on that was that the Bill as it stood, and as it had been modified from time to time in Committee, went in the direction of undermining the authority of Parliament. He hoped they would not put at the beginning of the Bill words which conveyed an absolutely false statement, and which practically threw dust in the eyes of the people, and all who read it superficially as to its real object and scope.

\*MR. GIBSON BOWLES (Lynn Regis) said, that the Prime Minister, in introducing the Bill, had said that the most important principle which must inform any measure of this kind was the supremacy of Parliament, and that that supremacy had not been put in what he called the mere enactments of the Bill, but had been placed reverentially in the Preamble, very much as one, after wearing a Court suit, placed it in the cupboard and said, "Thank God, that frippery is done with." The Bill had undergone enormous changes since it was originally introduced. To the measure, as originally proposed, five clauses and two Schedules had been added, making 54 clauses and

Schedules in all, and, of these, eight alone had been fully discussed.

MR. SPEAKER: The hon. Member is now proceeding as if it were customary on Report to consider the whole Bill as amended. That stage has been deliberately abolished by Parliament, and the hon. Member is only in Order in discussing the Preamble as if it were a clause of the Bill.

\*MR. GIBSON BOWLES said, he would proceed to discuss the question whether it was expedient to set up a Parliament in Ireland. ["Oh, oh!"] Yes; that was the effect of the Preamble. He desired to point out that the experiment of setting up an independent Parliament in Ireland had been tried before. It was tried in 1782, when Poyning's Act was repealed. Grattan, in an address on the opening of the new Irish Parliament, said—

"We have seen the Judges rendered independent of the Crown; the Mutiny Law abridged in duration; the jurisdiction of the hereditary Judges of the land restored; the vicious mode of passing laws in this land reformed; the sole and exclusive right of legislation, external as well as internal, in the Irish Parliament firmly asserted on the part of Ireland, and unequivocally acknowledged on the part of Great Britain. We have seen this great national arrangement established on a basis which secures the tranquillity of Ireland and unites the affections as well as the interests of both Kingdoms."

That was the expectation with which the last Irish Parliament was set up. Well, did it "secure the tranquillity of Ireland" and unite the affections of the two Kingdoms? Its fourth year saw a French invasion; its 15th year saw Grattan and his Party secede from it; its 16th year witnessed one of the greatest rebellions these islands had ever seen; and in its 18th year it committed suicide and passed the Act of Union. What was the opinion of an Irish Nationalist on that Parliament? Wolfe Tone, in his *Memoirs*, said—

"I have now seen the Parliament of England, the Congress of the United States of America, the *Corps Legislatif* of France, and the *Convention Nationale*; I have likewise seen our shabby Volunteer Convention in 1783, and the General Committee of the Catholics in 1793; so that I have seen, in the way of deliberative bodies, as many, I believe, as most men; and of all those I have mentioned, beyond all comparison the most shamelessly profligate and abandoned of all sense of virtue, principle, or even common decency, was the Legislature of my own unfortunate country."

That being the opinion of an eminent Irishman of the last Irish Parliament, it behoved them seriously to consider what kind of Parliament it was they were now asked to set up, and whether or not it was "expedient" to establish it. If it were to be like Grattan's Parliament—coming to such an infamous end, and distinguished by such awful disasters—it would not be expedient to set it up, and the Preamble should be unhesitatingly negatived. The Bill was characterised by distrust of the men who were to be the Legislature and Government of Ireland.

**MR. SPEAKER :** The observations of the hon. Member are out of Order. He is entering upon a discussion of the whole Bill.

\***MR. GIBSON BOWLES** said, he believed that if this Parliament were set up it would impair and restrict the authority of the Imperial Parliament. This Preamble was introduced by a statesman who, however much they might revere him, they could not disguise from themselves was acting in the capacity of a latter-day Samson. Beguiled by a latter-day Delilah beside him, he now put his hands to the pillars of the Constitution, careless of whom he involved in the catastrophe. The Preamble was an announcement of the right hon. Gentleman's intention, and seemed to him (Mr. Gibson Bowles) to invite its own rejection. Under the circumstances, and having regard to the fact that eight-tenths of the Bill had not been discussed, he thought they should reject the Preamble.

**MR. A. J. BALFOUR :** The temptation to deal with this question is one which one cannot blame the hon. Member for yielding to ; but, at the same time, I hope that after the suggestion that has been made by you, Sir, the discussion may be brought to a close, and that the House may take a Division upon this question. I will not add a single word to what has been so powerfully stated by other gentlemen in regard to the Preamble. I may, perhaps, say that I give my entire assent to the view that has been suggested from the Chair that the more important work the House has to do on this Report stage is to deal with the clauses for reasons which it would be out of Order to refer to, which we were not allowed to discuss in Committee, and

*Mr. Gibson Bowles*

with regard to the clauses that were considered in Committee to deal only with the more important points it may be desirable to raise upon those clauses.

Question put.

The House divided :—Ayes 185 ; Noes 140.—(Division List, No. 267.)

**MR. DALZIEL** (Kirkcaldy, &c.) said, he asked to move to amend Clause 1 by striking out the words which provide for the creation of a Second Chamber in the Irish Legislature. The Amendment raised an issue which was the subject of an animated Debate in Committee, and which called forth expressions of opinion with regard to the principle of Second Chambers from all parts of the House. But the Division on that occasion took place on an issue as to whether or not a Second Chamber was desirable. A great many Members supported the Government on that occasion in the hope—the vain hope, as it had proved to be—that at a later stage in Committee an important modification would be made in the qualification with regard to that Chamber. The Committee had not had an opportunity of considering the £20 rating qualification, and the result was that what they had to consider on the present occasion was not the question that was considered in Committee, but whether or not there should be a Second Chamber representative of a class elected by only a small section of the Irish community. What was the proposal of the Government? They proposed to confer on the people of Ireland the right to legislate with regard to all matters of purely domestic concern ; and the people of Ireland, so far as this House was concerned, were the Parliamentary electors — 740,000 in number. The additional proposal of the Government was that only £20 holders—162,000 in number—should have the power of electing Members of the Legislative Council. Thus the Second Chamber, which would have the power of reversing the decisions of the popularly-elected Chamber, was to be constituted by a limited class.

**MR. SNAPE** (Lancashire, S.E., Heywood) rose to Order. He asked if the point the hon. Member was dealing with would not be more properly raised on the 6th clause ?

**MR. SPEAKER :** I did not observe that the hon. Member was out of Order.

**MR. DALZIEL** said, there were two questions to be considered—first, whether a Second Chamber was desirable or not; and secondly whether, if it was to be established, it should be elected on a £20 qualification or on a broad democratic franchise? He thought it pertinent to consider whether or not the Second Chamber should be representative of a particular class.

**MR. W. E. GLADSTONE :** In the interests of discussion and order, I would point out that this question was distinctly raised by a subsequent clause, and I would ask whether it is according to the Order of the House that we should import into Clause 1 the contents of another clause?

**MR. SPEAKER :** As I understand the hon. Member, he only alludes to the 162,000 electors as a very small number to elect the Second Chamber; but the only point before the House is the question of a Second Chamber, and the hon. Gentleman will not be in Order in discussing the qualification of the electors, or the sufficiency of their number.

**MR. DALZIEL** said, he recognised the distinction, and he certainly should not dwell upon the absurd claim made by the Government, providing that particular classes of persons alone should have the power of electing the Second Chamber. He would pass to the question of the desirability of establishing a Second Chamber. The question was one of great magnitude, and one on which men of all political Parties—and, indeed, the most advanced men—entertained very different opinions. He knew it was contended that it was possible to be a believer in ideal democratic government, and yet to support the establishment of a Second Chamber. He did not, he was bound to say, take that view himself. He thought that if they admitted the principle that the Parliamentary electors of this country were to have supreme power in sending Representatives to Parliament, they were departing from the real principle of democratic government in appointing any additional tribunal to sit in judgment upon the legislation that duly-elected Members might see fit to pass. He, therefore, would ask the Government whether they intended that this Second Chamber should

oppose the legislation which would be passed by the popularly-elected Chamber? If the intention was that the Legislative Council should act in opposition to the Legislative Assembly, it would be an intolerable nuisance, while if it was to approve of everything that passed the Lower Chamber, and not oppose at all, the Legislative Council would be entirely unnecessary. He could quite understand that the argument that would be used would be that this Chamber might act as a safeguard for the loyal minority, and he believed that was the real reason why it was originally put forward. But, whatever was in the mind of the Government when this proposal was put in the Bill, they had no longer any reason for believing that it was accepted by the minority in Ireland as a safeguard. One could only judge of the feelings of the minority in Ireland by the statements of their Representatives in the House of Commons. At an earlier stage of the Bill the hon. Member for South Tyrone (Mr. T. W. Russell) said the Government were deceiving the English people when they held this out as a safeguard. Another hon. Member associated with the Irish minority appealed to the House to

“Stamp with condemnation one of the greatest and most treacherous shams ever put forward.”

The right hon. Gentleman the Member for Dublin University (Mr. D. Plunket) said—

“Of all the delusive, misleading provisions with which the Bill is stuffed this is the most delusive.”

The hon. and gallant Member for North Armagh (Colonel Saunderson) said of the Second Chamber—

“It was an aristocracy of squalor elected and created by a Senate of the gutter.”

He (Mr. Dalziel) did not concur in this opinion, but he contended that the original reason for bringing the proposal forward—namely, that it would be accepted by the minority as a safeguard—no longer held good. He, therefore, appealed to the Government to consider whether it was wise to pursue a policy which he believed, if they had a fair and square vote on the subject, would certainly not be supported by a majority on the Ministerial side of the House. He objected to the Second Chamber, because,

in his opinion, it was bound to be a class Assembly, because it would be elected by men who would have additional political power, not because of their superior ability to discharge the duties of citizenship, not because they had any special claim upon the State, but because, forsooth, they lived in large houses or possessed a little land. If the House adopted this proposal, it would be setting itself against the whole tendency of modern democratic law. The whole reform agitation throughout the present century had been directed towards the breaking down of class ascendancy. He urged upon the Government the desirability of giving the House some promise that if the Second Chamber were supported on the present occasion they would attempt, as far as possible, when the time arrived, to insert in the clause a rating qualification which would not carry with it additional political power, but would place all the electors of Ireland on the same footing.

Amendment proposed, in page 1, line 11, after the word "Queen," to leave out the words "and of two Houses, the Legislative Council."—(*Mr. Dalziel.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. GLADSTONE: I would draw the attention of the House to the exact nature of the question that is now before us. We are not discussing the particular conditions on which the Second Chamber should be constituted, but the question whether we shall have a Second Chamber at all. I may say with respect to that question that, even as to the existence of a Second Chamber, and especially as to the particular conditions of its existence—namely, with respect to its being chosen by a limited constituency, and the particular nature of that constituency as we propose it, although we think these important provisions from the nature of their subject-matter, we have never treated them as vital portions of the Bill. On the contrary, our desire has always been that those questions should be fully considered with serious impartiality by the House at large. Now, I am not going to make a polemical charge against gentlemen opposite; but it is manifest that the course taken by them, which was rather an extreme course on

the question, very much tended to prevent fair and impartial discussion. Those of my hon. Friends who object to a Second Chamber find themselves in strange company on this question, and may find themselves in a similar predicament again. It was a strong assertion, to say the least, for gentlemen opposite to make, that the Second Chamber was worse than no Second Chamber at all. I understand that to have been the ground taken. It was hardly to have been expected from the powerful Party that are in opposition, and I think it placed all of us on this side of the House in a position in which we had only a choice of difficulties. Certainly we could not attain the end we desired to attain, namely—fair, open, unprejudiced discussion of the question whether there should be a Second Chamber or not. We came to the question in the Cabinet with open minds. We were sensible there was a great deal to be said on both sides, and we took the view we conceived to be, under all the circumstances, our duty to take; but we did not attempt to incorporate that view into the vital conditions of the Bill, even under all the difficulties with which the question has since been surrounded. We have not now before us the question whether the Second Chamber should be elected by the same constituency as that which elects the other Chamber, but which differs from it in other conditions, which is, I think, a system not wholly without example. The simple question at this moment is—"Is it, on the whole, convenient that a Second Chamber should exist?" We have not seen any reason to depart from the resolution at which we have arrived. That resolution has been confirmed by a majority, although a small majority of the House, and it would require strong reasons to warrant our altering the position we have taken on this important provision of the Bill. I hope I shall not be regarded as discourteous to the minority if I say that I think many of them were induced to vote a Second Chamber much more as a part of what they thought it their duty to do—to offer a root-and-branch opposition to the scheme in all its provisions—rather than because they did not consider two Chambers preferable to one. We have to consider our duty to the public at large and to the public of Ireland on this subject. The Representatives of

*Mr. Dalziel*



Ireland in general I do not say desire this scheme, but have consented to make it part of the arrangement to which they look for the establishment of the future Government of their country. It is very difficult, Sir, not to be governed in some degree upon this question of having a Second Chamber by the nearly absolute universality of the practice of the civilised world. That certainly cannot be shut out from the impartial consideration of the question, and I think there is something to be said for the proposition that there is a prospective and probable advantage in having exactly the same subject, if you can secure it, handled by Bodies that will in a certain respect have distinctions and differences of view. Let us recollect how hard it is for any man with the most comprehensive and impartial mind to be sure that he has weighed and probed an important legislative proposal in all the lights and from all the points of view from which it ought to be considered so as to make it beneficial in the highest possible degree to the public interest. I do not say under what conditions the distinctions between the two Bodies are to be established, but I say that the presentation of difficult matters to two Chambers where they will not be approached from precisely the same point of view is probably more advantageous than their presentation to a single Chamber. If there is anything in these suppositions I do not deny that they have a somewhat special relation to Ireland. I am not disposed to follow the example set us on the opposite side, whereby the masses of the people in Ireland, instead of being treated as a nation, are treated as part of one, and I think it is too hastily assumed that they will certainly act as one Party. I will give no scope for varieties of opinion and sentiment and class. But then I do admit that the extraordinary, not altogether fortunate, and I hope to be hereafter considered and modified uniformity of view in Ireland must have some tendency to throw the choice of representatives into a groove narrower than would be desirable in the abstract; and if it be possible, without doing violence to the principles of liberty, to secure an examination of these questions with a greater variety of view than a single Chamber could possess, it might be somewhat advantageous. We have proposed

a Second Chamber under the belief that for the purpose of conducting Ireland out of the difficult and painful circumstances in which she has been involved for so many generations and so many centuries and of which difficulties large remainders have still unfortunately to be dealt with, wherever it was possible for us to find a provision unexceptional in itself and favourable in its character to the cause of reasonable and just protection against hasty acts—against rash and passionate acts which are committed in every Legislative Assembly, and from which we therefore cannot hope that the Irish Legislature will be specially and absolutely exempt—it was worth while availing ourselves of it. The hon. Member for Armagh (Colonel Saunderson) and others on that side of the House disclaim altogether the wish for a Second Chamber in connection with this Bill, and even go the length of saying that the provision we have inserted in the Bill, though we have never finally pledged ourselves to particulars, is worse than no Second Chamber at all. Therefore, my hon. Friend (Mr. Dalziel) is justified to a great extent in saying that the Opposition repudiate the whole of our proposals as far as it depends on the supposition that it is a proposal honestly intended to embrace the question of the interests of the Irish minority. I am entitled to say that we might fairly have expected the Members of the Opposition to say—"However shadowy your guarantee may be, we will vote for its principle, and try to make it as good as we can." But that course has not been adopted. I recognise the fact that we are not able to appeal to one single hon. Gentleman opposite in favour of the Second Chamber which we propose. Hon. Gentlemen opposite seem, one and all, disposed at the present time to make themselves responsible for the total out-and-out rejection of the Second Chamber.

MR. A. J. BALFOUR: Not of any Second Chamber.

MR. W. E. GLADSTONE: But of the Second Chamber proposed in the clause—we deal subsequently with the details of the Second Chamber. I do not put that forward as an accusation, though I do consider it a heavy responsibility for the Opposition to assume. Our Parliamentary position has, therefore, not been strengthened in dealing with some of our friends as it would have been if gentle-

man opposite had been disposed to regard this provision as some security against rash and hasty legislation, which is to be more or less apprehended in all Legislative Assemblies. I should have thought that the Opposition would have been disposed to say that, though they consider the Second Chamber proposed by the Government, especially as it is an elective Chamber, a very questionable proposal, yet they deem that it in some degree, however small, mitigates what they consider to be the defects of the Bill. We, however, have not only to consider gentlemen opposite, but those whom they represent; and we should not be justified in the face of the loyal minority, whose rights within limits we have never denied or questioned, in saying—"You choose to send Members to Parliament who disapprove of the Second Chamber. We take them at their word, and we consider you and your interests as entirely bound up in their Parliamentary existence, and consequently we throw over the Second Chamber, too." There is no escaping from the disadvantages which the Opposition have imposed upon us by their line of action on this question, and I am not sure that we should be justified in abandoning the proposal for the Second Chamber if we believed it would establish some diversity of view upon public questions without disparagement to just national interests. While, therefore, pitching my argument in favour of a Second Chamber in a modest and moderate strain, and asserting no strong or rigid doctrine about it, I have endeavoured to set out the reasons which have led us to adhere to the decision of the House. Therefore, without the smallest imputation upon anyone, or the smallest disposition to lay down any doctrine, and looking merely to those considerations which approximate to the case, we do not feel ourselves justified in receding from the decision of the House, and, regretting to differ from my hon. Friend, we are, therefore, compelled to oppose his Amendment.

\***MR. SAUNDERS** (Newington, Walworth) said, he was glad the Prime Minister deprecated discussing now the constitution of the Second Chamber. That question had not been discussed by the House, and he sincerely trusted it never would be discussed by the House.

*Mr. W. E. Gladstone*

He hoped it never would be necessary to form a Second Chamber for Ireland. He hoped they would not impose upon Ireland the difficulty which had been such a burden to themselves, and to every country where a Second Chamber existed. It was scarcely possible that the Second Chamber as it now stood in the Bill could be created, because it would involve the disfranchisement of three-fourths of the Irish people. With two Chambers, the slowest Chamber governed to stand the pace, and consequently the conditions of the franchise as regarded the Second Chamber would regulate the degree of popular power in Ireland. No such retrogressive measure as that proposed in the Bill had ever before been proposed to the House, for it disfranchised three-fourths of the population of Ireland. He was quite willing to discuss the question in the form in which it had been put by the Prime Minister. The right hon. Gentleman asked the question—"Is it, upon the whole, convenient that a Second Chamber should exist?" That depended entirely upon the point on which they viewed the Second Chamber. If they belonged to the privileged classes and benefited by abuses, it was extremely convenient that a Second Chamber should exist. But if they did not happen to belong to the privileged classes and suffered from abuses, then it was extremely inconvenient that a Second Chamber should exist. Therefore, the point of view would regulate the answer that would be given to that question. That the Second Chamber was an obstruction to legislation was admitted on all hands. The Prime Minister himself had given the most conclusive evidence on that point. Speaking of the Government of the Colonies, the right hon. Gentleman said—

"The Second Chamber operated as a very serious check upon the immediate action of the Representative Chamber."

There stand a very great difference between deferring legislation, or, perhaps, altogether preventing legislation, and preventing haste in legislation. They all deprecated undue haste in legislation; but a Second Chamber, instead of preventing hasty legislation, actually created it. In how many instances had their Second Chamber been the cause of

haste? They spent weeks in the discussion of matters which were hastily dealt with in the Upper Chamber. The Second Chamber must of necessity lessen the time they had to do their legislation in. Nature did not pay any respect to Second Chambers. She only allowed 365 days in the year, whether there was a Second Chamber or not. They had to get through a certain amount of legislation in the year; and if they had a Second Chamber to do the same thing, they must get through their business in less time than would otherwise be available. The Second Chamber, therefore, was obviously the cause of hasty legislation. The hon. Member for Aberdeen, speaking on this proposed Legislative Council, said it would take away half the power which had been conferred on the people by the other portions of the Bill. That was an extremely moderate view. What the Second Chamber took away was three-fourths of the power of the people of Ireland. There was no country in the world that could afford to have its political privileges curtailed so badly as Ireland. No country in the world had suffered so much from unjust legislation as Ireland had suffered. It was quite true that the large farmers of Ireland had been relieved to a very considerable extent by the magnificent legislation introduced by the present Prime Minister. But the same thing could not be said of the small farmers of Ireland. They were still paying enormous rents, or, at least, rents altogether beyond their value, for almost worthless farms—farms which, in many cases, were nothing but bog and boulders, and which merely afforded a place for the houses the tenants themselves put up. They talked about judicial rents in the cases of these men. Why, if ever a man might be said to be between his Satanic Majesty and the deep sea it was these small farmers, who were between the lawyer and the landlord. Some hon. Members opposite smiled at the statement of the sufferings of the small farmers in Ireland. The very last man he had visited as a tenant in Ireland was in this condition: He was paying £5 a year—

**MR. SPEAKER:** The hon. Gentleman will be good enough to remember that the constitution of the Second Chamber is what is before the House.

**\*MR. SAUNDERS** said, he would not refer further to the condition of the small tenant farmers in Ireland. The right hon. Gentleman the Member for Bodmin (Mr. Courtney) had spoken of the irritating bar that the Second Chamber had imposed to rapid legislation according to the wishes of the majority of the voters. Then why should they create a Second Chamber for the express purpose of producing such results as these? for these results were inevitably the effect of a Second Chamber. The hon. Member for Sheffield put it that those who were in favour of a Second Chamber avowed that their object was that the minority should rule, while those who were against a Second Chamber desired that the majority should rule. That really was the position of affairs. If they wanted the majority to rule, they must give them simple and effective means for doing it. What would have happened in London had London been supplied with two Chambers instead of one; and supposing that one of those Councils had been elected, in the manner proposed in this Bill, by one-fourth of the existing constituencies in London? The whole condition of things as they now existed would have been reversed. The electors of London would have been prevented from expressing the wishes of the people of London; and the two Councils, even if desirous of doing something, would have so hampered each other that little or nothing would have been done. One would think that Governments were created for the express purpose of doing mischief. The Bill as it stood was one of the most remarkable pieces of legislation ever presented to the House. They had a First Chamber limited by a Second Chamber, and then the Second Chamber limited so that it should not over-much limit the First Chamber. Talk about five wheels to a coach! It was nothing to the complication introduced into this measure. He disliked the idea of fear in connection with legislation. And yet this proposal was based upon apprehension—was based upon unjust and mistaken apprehension; safeguards introduced under the influence of fear invariably increased danger, as they would increase the danger in this instance. During the present century they had had many proposals for increasing the facilities for legislation—for giving additional power to the

people, and the result of advancing in that direction had been so beneficial that it would be repeated again and again. But the proposal that was now made was a proposal in the opposite direction. Why should they create a Second Chamber to bother the First Chamber—a Second Chamber which would be infinitely more powerful for mischief than the Second Chamber which gave them so much trouble in connection with legislation in this country? He did not think there ever was a contrivance more complete and effective for paralysing the will of a people than the contrivance proposed as a Second Chamber for Ireland. What would that Chamber be? It would be a combination of landlords, capitalists, and large farmers. What hope had the working classes of Ireland from that Chamber?—how would the grievances of the labourer be removed? As the matter stood in the Bill, not a single labourer or artizan or small farmer would have a vote for the Second Chamber. The slowest Chamber practically controlled the other Chamber, but what would happen with the operations for checking the Second Chamber in checking the First Chamber it was impossible to say. He did not think there was any value in the checks proposed except to show the extreme unadvisability of having a Second Chamber at all. Let them give the greatest possible liberty to the Irish people, and he had no fear of the result. If dangers and difficulties arose under Home Rule, they would arise because the people were not allowed to give effect to their own wishes. No people under the sun desired disorder if they could obtain justice without it; and there would not be the slightest danger of disorder in Ireland if they gave the people the control of their own affairs. But to introduce a Second Chamber, and such a restricted Second Chamber, was very much like as if a farmer introduced a fox into the hen-roost. To place such a restriction on the expression of the popular will was destructive of Home Rule. He was extremely sorry for those who were in fear of the people, for they must be in a very unhappy and a very miserable condition. He had entire confidence in the people, and his desire was that the people should have full and free opportunity of expressing their will, and giving effect to it both in legislation and in administra-

tion. He therefore sincerely hoped that the House would divide upon this question and would support the Amendment now before it.

\*MR. BUCKNILL (Surrey, Epsom) said, he thought that the anecdote of the fox in the hen-roost might be applied, not inappropriately, to the hon. Gentleman who had just spoken. It was a great pity that the speech of the hon. Gentleman had not been delivered on the Second Reading of the Bill, because he would then have felt bound to walk into the Lobby into which he did not walk on that occasion. He (Mr. Bucknill) could now understand why the Prime Minister had thought fit to rise to reply before the Seconder of the Amendment had been heard, for the difficulties of the right hon. Gentleman would have been considerably increased by the speech just uttered. The question before the House was an extremely simple one. It was whether or not there was to be a Second Chamber in Ireland? The question of the composition of the Second Chamber was not before them. But that would be discussed, if at all, at another time. They were now discussing the principle of a Second Chamber, and he ventured to say that that principle should be upheld, not only for the reasons given by the Prime Minister, but because, as a matter of fact, nearly the whole civilised world had acted upon it. When this matter was discussed on a prior occasion, the Prime Minister stated that a Second Chamber was especially necessary in the peculiar circumstances of Ireland. He (Mr. Bucknill) was prepared to argue this matter from the Irish point of view. The hon. Member for Waterford had on a previous occasion stated that in his opinion a Second Chamber would be an effective check on rash and ill-considered legislation. The Prime Minister had said that the Cabinet went into the question with open minds. The Home Secretary, however, on the 14th of April last, told the House that in his opinion, as a modern Democrat, Second Chambers were not successful or safe; and that he with reluctance consented to the introduction of a Second Chamber into this Bill as a concession to those who said it was not safe to leave the Ulster



people to the uncontrolled dominion of one Chamber. The Prime Minister had said that the principle of a Second Chamber was, in his opinion, one which could not be rejected; and he (Mr. Bucknill) trusted that if there were a Division it would show there were in the House very few superlative modern Democrats who would vote in that Lobby into which it was known the Prime Minister would not go.

MR. R. WALLACE (Edinburgh, E.) said, he had Amendments in this connection on the Paper which, from the uncompromising attitude adopted by the Government in reference to the Amendment of his hon. Friend the Member for Kirkcaldy (Mr. Dalziel), he clearly saw would have no opportunity of being considered. He was not at liberty, therefore, to argue this Amendment out; but perhaps he might be allowed simply to state his own attitude upon the question. If the Amendments he had on the Paper had had a chance, which they would not have, of being considered, his proposal would have run as follows:—

"That on and after the appointed day there shall be in Ireland a Legislature consisting of Her Majesty the Queen and the Legislative Assembly, with such Legislative Council, if any, as may be created by Irish Act."

He would have started in Ireland with a Legislature, consisting simply of the Sovereign and a Legislative Assembly, but he would have endowed that initial Legislature with a limited prolific faculty of producing a supplement to itself in the form of such Legislative Council as it might create by legislation. In that way he would have desired to throw upon Ireland itself the responsibility and the duty, if it were a duty, of providing a Second Chamber for itself, and a Second Chamber of any kind that it chose to select for itself. Such an Amendment would not have required his arguing the abstract question of a Second Chamber at all. He would have desired to get rid of the abstract discussion; it would have been enough for him to say that on that article of their political faith he did not belong to the school of the Prime Minister, who, so far as he could learn, desired a Second Chamber, partly because experience appeared to have taught him that legislation proceeded too rapidly without one, and partly because

the right hon. Gentleman was attached to the hereditary principle for reasons which he had never been able to follow. He himself belonged rather to the school of the Chief Secretary for Ireland and the Home Secretary, who were avowed enemies rather than menders of the House of Lords and similar Institutions. Such being his position, he, for one, had the greatest aversion to having anything to do with the construction of a Second Chamber, and especially in connection with new Institutions which were to be given to a newly-started country. But by his Amendment, if it had had a chance of being considered, he would have been able to get out of this difficulty. He admitted that Ireland had a perfect right to be governed as it chose; and as there was no accounting for tastes, if she desired to have a Second Chamber in addition to the primary Legislature, he, for one, was not in a position to deny that she had a right to her choice. But he thought he was in a position to deny that she had a right to compel him to take any personal concern or responsibility in creating such a Chamber. He said that if Ireland wanted this Institution, and especially in the peculiarly distasteful form offered in this Bill, by all means let her please herself; all he begged was that he should not be asked to put his hand to the unclean thing. He would not, and could not do it. His Amendment, if he could have moved it, would have enabled them to get rid entirely of the 6th clause, which was a distasteful provision, reserving as it did the iniquitous principle of property qualification, and conferring on a small body of landlords the power of vetoing the evident will of the people. He would have gone a considerable way further than his hon. Friends the Members for Kirkcaldy (Mr. Dalziel) and Walworth (Mr. Saunders), but only in the direction of making concessions to the will of the Irish people. As it was, he would have pleasure in going into the Lobby with them.

MR. RENTOUL (Down, E.) said, the peculiarity of the clause was that it was brought forward by a Party the majority of whom did not believe in the principle of a Second Chamber at all. On every occasion on which this question had been before the House not one word had been said in favour of this Second Cham-

ber as a power of revision of legislation. The very purpose for which the House of Lords existed was entirely left out of sight. The whole tenour of the speeches made on the other side of the House was that this Second Chamber was a protection to the loyal minority in Ireland, while the constant argument of the Unionists was that it was a sham and delusion as a safeguard, and would be of no value to them. It was a strange thing that this principle was not embodied in the Bill of 1886. The Second Chamber provided in that Bill was something real; but the Second Chamber now under discussion could not, from any point of view, act as a safeguard. The Unionists wanted to see this Second Chamber negatived by the House simply because it had been presented to them as a safeguard, when it could not by any possibility act as such. The hon. Gentleman who moved the Amendment did so because he opposed a Second Chamber altogether; but the Unionists opposed it because it was a sham and a caricature, and would be of no value to them. It would tend to make them ridiculous, and to damage them, and they hoped the Government would see their way to doing without the sham altogether. If they were to have any Second Chamber at all they should go back to the principle of 1886, which was a higher and better one from every possible point of view.

Mr. J. Morley rose in his place, and claimed to move, "That the Question be now put"; but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

MR. H. HOBHOUSE (Somerset, E.) said, that when this question was before the House on a previous occasion he gave a silent vote in favour of the Government; he intended to vote in their favour now, and he thought those who separated themselves from their Party on this question were entitled to give their reasons for doing so. On the previous occasion he voted in favour of these two Chambers, because he had always felt it to be desirable there should be a second House, and because he entertained a substantial hope that when they came to discuss the composition

of the Second House they should find that the Government had an open mind on the matter, and that they should be able to make this Chamber what they were told it was really intended to be—namely, a real safeguard for the minority in Ireland. His political friends had mostly voted against the Second Chamber because they entertained the hope that they would be able to reduce the proposed Parliament to a Body of an inferior kind—some local Governing Body with more restricted powers than those which were given to the Irish Legislature by the original Bill. Now they came to discuss the question again, they were in rather a different position, because they had endeavoured, on the whole without success, to introduce Amendments to restrict and reduce the legislative powers of the Irish Body; therefore those powers would be substantially what they were in the Bill as it stood; and those powers, he ventured to think, were powers which entitled it to be regarded as a Legislative Body, and not merely as a local Governing Body. But with regard to the constitution of the Second Chamber, they stood in a different position. They had had no opportunity yet of discussing the constitution of that Body and the nature of its duties; and, therefore, they might still continue in the hope which animated them on the last occasion, that when they proceeded to discuss its composition they should be able to improve that Body considerably, even from the point of view of the hon. Gentleman who last spoke. There was no doubt the House was placed in a somewhat awkward position in this matter, because he was afraid they should not have an opportunity, after they had discussed the actual composition of the Second Chamber, of then recording their final judgment as to whether they should have a Second Chamber. That was the unfortunate result of the action of the Government on the Committee stage of the Bill, and for which the Government alone were responsible. The Prime Minister had spoken of the nearly absolute universality of the practice of the civilised world in having a Second Chamber in all their Legislatures. In the United States, both in Congress and in the great majority of States, they had recognised the need of a Second Chamber. In our Colonies again, as a rule,

*Mr. Rentoul*

they had a Second Chamber, though there were one or two exceptions. In the Dominion of Canada, he believed the Province of Ontario, and he thought one other Province, had only one Chamber. But there not only was the population smaller than in Ireland, but the matters committed to these Provincial Legislatures were considerably more restricted in character. Instead of having general powers in the Province of Ontario to preserve peace, order, and good government, they had only certain specifically enumerated matters entrusted to their care. If these specific matters on which they could legislate in Ontario were compared with the exceptions in this Bill, it would be found that in many important respects they were investing the Irish Legislature with far greater powers than the Legislature of Ontario had at the present time. The Irish Legislature, no doubt, would be restricted in certain respects, but within its own limits he was afraid it could not be said in any practical way to be a subordinate Legislature. He thought, therefore, they might well claim, in the circumstances of the case, that there should be two Houses. The desirability of a Second Chamber had been fully recognised by the Prime Minister. All who had sat in this House for some years would recognise that, however ably they might deliberate on public affairs, yet they sometimes owed something in their legislation to the other House. Even those who had most reason to complain of the composition of the other branch of the Legislature would surely recognise that on non-Party matters they owed a good deal of the soundness of their legislation to the other House; and he did not think anyone could deny there were advantages in having important matters of legislation carefully deliberated upon by two Bodies. The special application of this principle to Ireland must be recognised by everybody who had pursued the Debates on this Bill, and seen the strong divergences of opinion arising between the different Members and Parties in that country. On these general principles he wished to support the proposal of the Government. He was glad that, on this occasion at any rate, they had stuck to their guns, and he wished they had taken this line on yet more important matters.

SIR E. CLARKE (Plymouth): I should have been very sorry to have been obliged to go into the Division Lobby on the question now before the House without explaining the reasons for which I intend to support the proposal of the hon. Member for Kirkcaldy, and I trust that the right hon. Gentleman the Chief Secretary for Ireland may presently give us a more reasonable contribution to the proceedings of the evening than the suggestion which was made lately by him. The question is one of undoubted seriousness and gravity. It is one upon which different views are taken by gentlemen sitting on different sides of the House, and I am not speaking at this moment either as representing the Front Bench here or as representing hon. Members on this side of the House. The question that has been now submitted to the House is a difficult one to solve, if it be discussed subject to the narrow limitations which were suggested by the Prime Minister. We are not at liberty to discuss—and that is quite reasonable and right—the provisions of the 5th clause of the Bill, or to express our opinion as to the arrangements which are there provided for the election of the Second Chamber in Ireland; but I take it that we are entitled to discuss this matter upon the hypothesis that the plan which is now in the Bill is the plan which is to be submitted to the House. This Bill has gone through Committee. It emerges from Committee, as amended in that Committee, with, upon the back of it, the names of the Prime Minister, the Chief Secretary, and of two of their more important Colleagues. In that Bill Clause 6 defines the constitution of this Upper Chamber, and there is no Amendment to that clause put down upon the Paper now by any Member of the Government, nor any Amendment which we have reason to believe the Government will support, so that I think the Prime Minister is not entitled to say he claims from the House that they should discuss simply the abstract question of a Second Chamber. He is bound by his own Bill—which he has, in methods I do not stop to criticise, forced through Committee—and which stands now in the shape by which we are entitled to assume the Government will be bound throughout the further discussions on this Bill. The Prime Minister made in this regard a very significant distinction. He said

the Government did not look upon the details of the Bill as vital, and by that phrase he conveyed to us that the Government do look upon the establishment of a Second Chamber as a vital point of the Bill. And he asked the House to come to a decision on this matter, simply upon its general ideas as to whether Second Chambers were or were not reasonable and useful political Institutions. Now, of course, if we were discussing the question of the establishment of a Legislative Body which represented a self-contained country and of the whole of the interests of the people of that country, I should not have the slightest hesitation in saying that I should think a Second Chamber would be a most useful, admirable, and, indeed, necessary part of the political machine; and if we were dealing here with any such problem as that, of course I could not give a vote against the theory and idea of a Second Chamber. But that is by no means the case with which we are dealing. We are not dealing with the establishment of a Legislature which is intended to represent in all their fulness and in all their force the interests of the people of a particular country. We are providing here for what is to be—although it is not in terms confessed—a subordinate Assembly, and when you are dealing with a subordinate Assembly, it appears to me that very different considerations come into play. I do not want to pass from any general declaration about Second Chambers without saying a word upon a matter which has been mentioned by the hon. Member for Edinburgh, as if no one would challenge or controvert his idea that the hereditary principle is a foolish and ridiculous principle. This is not the time for discussing it, but in my judgment the hereditary principle is the only safe and useful principle upon which a Second Chamber can be founded; and it is my belief that if wisdom came to the construction of a Constitution for a great country like ours at the present time, it would find its best groundwork and foundation for a Second Chamber in that feeling of hereditary influence—hereditary authority, and I will go on to add hereditary capacity for public service which is recognised by everybody in all classes of the community, and which, I believe, is the best groundwork and foundation

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for a Second Assembly. So I am prepared on the proper occasion and at the proper time to defend the hereditary principle, subject, of course, to qualifications and additions which I have never denied the importance of. I say this by way of parenthesis, as I do not wish to be misunderstood. In the first place, in regard to this Second Chamber for Ireland, I propose to vote against the establishment of this Second Chamber for several very distinct and definite reasons. One reason for which I object to the establishment of this Second Chamber as proposed in the Bill is that, taking the Bill as it stands, with its definition and description of that Second Chamber, I believe that Second Chamber would be worse than useless. When the Prime Minister said that the idea on this side of the House which had prompted our opposition to the Second Chamber on the previous occasion was simply that the Second Chamber constructed in this Bill was a sham and was worse than useless, I do not think he measured entirely the full meaning of the opposition which we gave to the proposal. My view is this: not only is the Second Chamber, as now described in the 6th clause of the Bill, a sham, and a mischievous sham, but my belief is that if we can get rid of this Second Chamber we should do a great deal to destroy the Legislative Assembly altogether. All our people in this country understand a Parliament to consist of two Chambers, and it will be a very long time before you can make the people of any part of this country understand a Parliament which has not two Houses—an Upper House and a Lower House. If you set up in Ireland your two Chambers with the appearance of a Parliament—an Upper and a Lower House—you give it the appearance, and not only the appearance, but you give it something of the authority and prestige of a Parliamentary Body. On the other hand, our people quite understand a single Body—like a County Council—which is dealing with the affairs of a locality, and they are used to have local affairs dealt with by a single Local Body; and I believe if we can strike out of this Bill the provision relating to the establishment of a Second Chamber, we should do more than we could by any other single change in the structure of the Bill to destroy the idea



of an Irish Parliament and to reduce it to the condition and authority of a Local or County or Provincial Council. But I have a further comment to make, and it is this : I believe that the establishment of a Second Chamber, unsatisfactory and inefficient as it would be, would also be mischievous in this way : it would prevent the prompt intervention of this House in controlling the action of the Legislative Body in Ireland. I should like just to illustrate that. Suppose the Home Rule Bill had passed. Suppose this experiment had been set on foot and the whole machinery established. Some Bill might then pass through the Lower House in Ireland, and that Bill might be so immediately directed to injure a particular class of people in Ireland that the whole feeling of this House would be in revolt against the proposal. It is perfectly well known to everyone that legislation does mischief whilst it is passing. You do not have to wait until an Act is put upon the Statute Book ; and whilst it was passing through the Lower House a particular scheme of legislation might have a very mischievous effect upon the rights and interests of a large class of people in Ireland. Now, suppose such a measure were proposed in the Assembly in Ireland, and were carried by a majority of that Assembly, and then suppose that a legitimate and strong appeal were made by the Representatives of Ireland in this House speaking in the name of the class which that legislation might injure—an appeal to this House to interfere and correct what was being done. What would the answer be ? “Wait until you see whether the Second House throws it out.” And then you must wait—I think it is two years—for the two Houses to sit together on the Bill we passed again through the Lower House. Really, these things were passed in silence, so that one cannot be supposed to be familiar with the details of them, and I confess that for the moment I have lost recollection as to the details of many parts of the Bill. I hope right hon. Gentlemen opposite are more fortunate, and have better memories. But in that case there would be objection, and you must wait until the whole Parliamentary machine has been put in force in Ireland before this House could interfere. I believe that would be a mischievous thing, and I believe it would

be much more useful for the purpose of local government in Ireland and immeasurably more useful for the purpose of preserving the authority of that House that there should be but one Body in Ireland, and that that one Body should be subject to the immediate control and supervision of the Parliament in this country. There is another reason which I venture to put before the House with regard to this matter. Supposing this Home Rule Bill to pass and this machinery to be set on foot, of course it is a matter of interest and anxiety for all as to how these two Houses in Ireland would be constituted. Now, it is pretty clear that those who have been the active Parliamentarians in this House, so far as they take part in Irish politics at all or choose to enter into either House, would probably desire to take their places in the larger Assembly in Ireland, although the Lower House would undoubtedly have the distribution and determination of all official matters and the entire rule with regard to Irish finance. I think that if that were so, and if hon. Members who usually sit below the Gangway on this side found their places in the lower House, representing one element of Irish national life, you would find those who represent other parts of Irish national life—men stronger, perhaps, in local influence than many of those who come and sit in this House on those (the Irish) Benches—might be probably tempted to try and find their place in the Upper House of Parliament in Ireland, where they would have, perhaps, an easier task, but where the influence of their weight and strength would be to a great extent wasted, because they would not come into immediate contact and relation with those who have been leading the Irish cause in this House; and I confess it does seem to me, if you are to set up any Assembly in Ireland at all, which is to deal with matters so large as are given by this Bill, you had better, for the sake of Ireland itself, secure that those who are desirous to take part in her Parliamentary or local affairs shall meet in the same House. On these different grounds, I am in favour of doing away with this prospect for a Second Chamber in Ireland. I believe the effect of striking that out of the Bill would be to make the machinery simpler, more distinctly a

Local Government, and not a Parliament, and would be to secure the representation in one House in Ireland of the different influences and different forces of their national and popular life, and I believe it would have, above all, this immense advantage—that it would enable this House immediately, without hesitation and without delay, to interfere with, control, and correct what we fear may be the exuberance or vagaries of the Irish Parliament.

Mr. PARKER SMITH (Lanark, Partick) said, the first advantage derived from this Bill was that it had won Hereford to the Unionist cause. He hoped they would have many chances like it. On this question of a Second Chamber the House stood in a position different from that in which it stood when the Bill was in Committee. At that time he voted against a Second Chamber, because his object was so to reduce the functions of the Irish Legislature that a Second Chamber would be as unnecessary as it was for the London County Council. But they had gone further since then; they now knew what the powers of the Irish Legislature were to be—they knew that they would be extensive, more extensive than they had supposed they would be—and, under those circumstances, it was open to those who had opposed a Second Chamber before to reconsider their position and determine whether there should not be one. It seemed to him if they were to have a Legislature of the size of that proposed by the Bill as it now stood, they should have a Second Chamber—it should be an essential part of it. Universal experience showed that wherever, abroad or in the Colonies, they had a Legislature of this kind, it had been found expedient to have two Chambers, and they must have that if they wished the new system they were setting up to work satisfactorily and successfully, and to correspond with the real strength of the nation which it governed. If they had a system that did not correspond to the strength of the nation they had always the danger before them of outbreaks of revolutionary violence. There were classes of men who wished to establish all sorts of institutions and all kinds of social conditions. He had a great admiration for the principle of representative government; but it never worked successfully unless it em-

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braced people who were the mainstay of the nation. What had been the history of the British Government? It had changed its form from time to time; but it was because it embodied all the strongest forces in the nation that revolutionary reformers had not been tempted to assail it; and at present, being a democratic Government, it was only exposed to attack from the childish impatience of a certain number of Radicals, who were angry that there should be any delay in giving effect to their views. He differed entirely from those who said they should not have this Second Chamber at all. There would, of course, be some class in a majority in every part of Ireland. It was one of the difficulties in establishing a representative Government that there was the same class in a majority in almost every part of the country. No doubt, it ought to have predominance in legislative power; but, at the same time, there were other classes who ought to be represented, and who could exercise their due influence only through a Second Chamber. Nothing could be more dangerous than to exclude those classes from representation—from putting forward their views, arguing their case fairly. He believed that the scheme which he had sketched was essential in all schemes of Government that were to be satisfactory. He considered the circumstances had so entirely changed since that question was before them in Committee that he felt himself at liberty to support the Government.

Mr. MACARTNEY (Antrim, S.) said, this was one of the organic details in which the present proposals of the Government differed from those of 1886, and it was one of the proposals of the Government for the protection of the loyal minority in fulfilment of the pledges made during the course of this agitation. But there was another feature that rendered it worthy of consideration. The hon. Member who moved the Amendment told them that a great many of those who supported the Government generally would on this occasion vote for them against their own convictions.

Mr. DALZIEL said, what he did say was that a majority on that side of the House would be against a Second Chamber.

MR. MACARTNEY said, he did not think that differed from what he had given as his account of the hon. Member's statement. The hon. Member and his friends were prepared to vote against their convictions. He would like to remind the House of the charge that had been made by the Prime Minister against the Opposition. He told them, in a former Debate, that their arguments were formulated with an ingenuity which made out some case against a Second Chamber. He stated that the Cabinet had come to the question with an open mind. This proposal of a Second Chamber, having been agreed to by the Cabinet, was submitted to them with the object of conciliating the loyal minority; and the hon. Member for Longford (Mr. Blake) spoke of it as a marked and distinct protection for them. He did not know how far the right hon. Gentleman might be justified in saying it was his intention to conciliate them; but almost immediately afterwards the Chancellor of the Duchy (Mr. Bryce) said that was not the object with which the provision had been brought forward.

THE CHANCELLOR OF THE DUCHY OF LANCASTER (MR. BRYCE, Aberdeen, S.) was understood to express dissent.

MR. MACARTNEY said, he thought what he had said was to be found in *The Times* report of the right hon. Gentleman's speech. There was another report in *The Parliamentary Debates*, which certainly carried out the sense of the words he had used, though the words differed. He would refer the right hon. Gentleman to *The Debates*. But what was their position upon this clause? The Prime Minister, on May 10th, acknowledged that they had a right to endeavour to alter the provisions of the clause, if they objected to it, when it had been reached. The Chancellor of the Duchy also agreed that that was a proper course. They were told that the Government were willing to meet all reasonable apprehensions which might be felt with regard to the question. That was the position at that time. Well, Amendments were put on the Paper on various points from the point of view of the minority. Such Amendments had been invited, and they were anxious to discuss them, but they were precluded by the Closure on the 6th July, so that,

having invited them to put down Amendments, the Prime Minister deliberately precluded them from discussing them. That being so, they were perfectly justified, now that an opportunity offered itself, of following the Prime Minister's advice. In considering the subject he had to consider what they were considering to-night—whether what the Government offered was anything but what the Loyalists in Ireland said it was, a vain and shadowy pretence and not a reality. They must have some meaning in the provisions building up a Constitution. He presumed the Prime Minister meant by a Second Chamber an Assembly which would either arrest, delay, or, if necessary, avert, the proposals of the First Chamber. The Chancellor of the Duchy had given them the history of the development—

MR. J. MORLEY: I rise to Order. I beg to ask, Mr. Speaker, whether the hon. Gentleman is in Order in continuing the Debate which took place upon this question, and in now replying, step by step, to the speech made on that occasion by my right hon. Friend?

MR. SPEAKER: The discussion is on Report; and I have no cognisance of the Debate which took place in Committee. The only restriction I can lay down for the hon. Member is that he should confine himself to the erection of a Second Chamber, showing the necessity in the present circumstances of Ireland of having a Second Chamber as a counterfoil to the other.

MR. MACARTNEY said, he did not think he was going beyond the bounds of Order. The Prime Minister himself had already that evening referred to a speech made by an hon. Friend in Committee; and there were many important subjects which he and his hon. Friends had been precluded from discussing in consequence of the application of the Closure. The Chancellor of the Duchy told him that having looked all round the world he found that the reason of a Second Chamber in all countries, with the exception of two, was found in assent to the bicameral principle. The case of the Colonies had been brought in as an example; but the proposal of the Government had only a superficial and not a real resemblance in the existing facts connected with the institution of Second Chambers in Australasia or in Canada.

This clause had been drafted on a different basis from that of any clause relating to any other Constitution. They might be told that in voting against the proposal of the Government they were voting against the principle of a Second Chamber. For his part he was doing nothing of the kind. If the clause was framed in the form of that in the Act of 1852 or that in the British North America Act, then there would be some justification for saying he was voting against the principle of a Second Chamber. He was only going to vote against the proposal in this Bill. At a further stage, they would be entitled to discuss the composition of the Second Chamber. He would not go further to-night, but would content himself by entering his protest against the Government proposal for setting up a Chamber which was inadequate to the carrying out of the duties which they sought to impose upon it.

\*MR. WHITTAKER (York, W.R., Spen Valley) said, he should vote for the Amendment, because he disapproved of having specially-selected persons or bodies to supervise popularly elected Assemblies. Experience was against the idea that specially selected persons possessed superior judgment. The history of the Second Chamber in this country sustained that view. He considered that the action of the Aldermen in connection with our Municipal Corporations had not been satisfactory, and only recently the Government had reduced the qualification for members of Local Boards. Then, on our Boards of Guardians we had had some experience of *ex officio* members and a feeling was growing in the country that that kind of thing should be done away with. In connection with Ireland, would the Second Chamber endorse the opinion of the Assembly elected by the people? If it would, they did not need it; but if it was going to thwart the will of the people he and his friends were opposed to it, because they believed in government of the people by the people. It had been suggested by the hon. Member for the Partick Division (Mr. Parker Smith) that our Second Chamber had sometimes saved the country from revolution. That seemed to him to be a most extraordinary doctrine, for he was under the impression that in recent times that

Chamber had brought us nearly to the verge of revolution. Then it was said that a Second Chamber was required as a check on hasty legislation. He confessed he did not think that we needed any check on legislation. Our difficulty was that legislation was far too slow at present, and after there had been years of work in bringing questions to such a conclusion that they could command a majority in that House it was most objectionable that the will of the people should be thwarted in another place. The danger to the country was not in legislating too hastily, but in doing so too slowly, for delay dammed up public opinion until it became a flood which swept all before it. What had been their experience of a Second Chamber in this country in connection with Irish legislation? Was it not an acknowledged fact that some of the best Bills which had been passed through that House had been doctored by the superior wisdom of noble Lords elsewhere? Was it that property required protection? He was one of those who were not deeply concerned about the protection of property. It was quite capable of taking care of itself; but it was the poor, weak, and helpless that required to be protected in this country. If they looked at the condition of the landlords and noblemen of the country it would be seen that they were able to protect themselves; but if they went into the streets and saw there the crowds of poor, weak, and helpless people it would be admitted that it was they who wanted protection, and not the well-to-do. He did not believe in giving a man extra votes because he had more property than others. There was an old saying—"Take care of the pence, and the pounds will take care of themselves." If they took care of the people who only had pence, the people who had pounds would take care of themselves. Did the minority in Ireland want protection? He was more concerned about the majority. The object of this Bill was to protect the majority in that country. The minority there had been specially protected far too long. Who were they? They were the cause of all the trouble which this Bill was intended to remedy. It was at their instigation and on their behalf that we had perpetrated the in-

*Mr. Macartney*



justice and sustained the tyranny and class rule which had brought about the condition of things we now had to deal with. Those who were anxious for protection had uneasy consciences. They feared that the majority in Ireland in the future would do as they themselves had done in the past, and would be as unjust as they had been; but he hoped and believed the Irish people would act fairly. It was said that there was a consensus of feeling throughout the civilised world in favour of Second Chambers. That was because, when they were establishing a new form of Government in a country, they mostly had to conciliate those who were possessed of property, privileges, and power, and the Second Chambers were the price that had been paid. Some Radical Members would have been willing to support a Second Chamber in Ireland if that concession would have conciliated the Opposition; but as they were not to be conciliated he would vote for the Amendment. He did not wish to see the Irish Legislature marred. He did not want to give a man two votes because he lived in a house of more than £20 rateable value. There were many who wished to see the principle of this Bill extended to England, Scotland, and Wales. Were they to have Second Chambers in those countries? He sincerely hoped not. They had tried class legislation long enough in Ireland. What was wanted was freedom and equality, to which the restrictions in the Bill were the greatest danger, and he would, therefore, prefer to see this particular restriction removed.

COLONEL SAUNDERSON (Armagh, N.) said, he thought the position taken up by the hon. Member who had just sat down and by the hon. Member for Kirkcaldy (Mr. Dalziel), who had moved the Amendment, was perfectly logical. He could quite understand and appreciate their arguments and motives; but what he could not possibly conceive was any Member of the House who was opposed to the principle of Second Chambers under any conditions voting with the Government at the present moment. The hon. Member who had just sat down and the hon. Member who had moved the Amendment would both vote for the principle that they objected to a Second Chamber. Their position

was perfectly logical. He should vote with them on this occasion, not because he was opposed on principle to Second Chambers, but because he was opposed to the creation of a Second Chamber in Ireland. The Prime Minister had given a thoroughly free hand to his followers in a speech he made the other night which they all remembered with pleasure and admiration, and which, although he did not agree with it at all, he could not refrain from admiring. The right hon. Gentleman had moved the House to laughter by saying that it was the universal habit of Unionists who moved and spoke on Amendments which were proposed in Committee always to begin in the same way. They always began, he said, by saying—"This is the most important Amendment that has yet come under the notice of the House of Commons." Well, the Prime Minister invariably began his speeches in the same way. He always said—"This is not a vital question." But they had no vitals. The Opposition had been searching for them for the last three months. It was an eviscerated Government. The Opposition had imagined that, at any rate, the question of the Second Chamber would constitute a vital question. But no; although the Prime Minister informed them that in the civilised world he could not find an instance of a successful Constitutional Government without a Second Chamber, he said that in the case of Ireland the establishment of a Second Chamber was not a vital question. Therefore, the Radical Party who were opposed to a Second Chamber had got practically a free hand from the right hon. Gentleman to vote against him on the present occasion. But why should he and his hon. Friends vote against a Second Chamber? The House was apt to forget that they were now discussing a practically dead Bill. Everybody knew that it would never become law. If a Home Rule Bill ever did become law, the final decision would rest, not with the House of Commons, but with the electors of Great Britain, and from indications they had received to-night they were led to believe—

MR. SPEAKER: The hon. Member must not stray from the Amendment.

COLONEL SAUNDERSON said, he at once bowed to Mr. Speaker's ruling. He had been about to say why he should

vote against a Second Chamber for Ireland. He should vote against that Second Chamber, because it was decking out a political monstrosity in the garish garb of Constitutional methods. A Second Chamber in Ireland was an absolute absurdity. Every one of the loyal minority regarded the Second Chamber as a sham and a delusion which would protect nobody. The First Chamber he could understand. It would be a Land League Parliament. The Prime Minister had informed them that in the civilised world he had not discovered any instance where a Second Chamber had not been adopted in framing a Constitution. But where, in the civilised world, was there an instance of a sane man proposing to settle a great question by placing the criminal population in supreme authority? [*Cries of "Stale!"*] Hon. Members said that was stale; but it was also true. That being so, it was proposed to modify the First Chamber by a second, which would, undoubtedly, harmonise in its general aspirations. The only thing would be that provision would be made for occasional differences, and he believed that on those occasions the two Chambers were to meet together. He would only say that on those occasions the 48 gentlemen who constituted the Second Chamber ought to be armour-plated, if they proposed seriously to resist the will of the Lower Chamber. So far as the minority in Ireland were concerned, they would reject this Second Chamber as anything like a protection to them, and in saying this he was speaking the opinion of every Ulster Unionist. The hon. Member for Kirkcaldy opposed the Second Chamber on purely Radical grounds. The hon. Member imagined that it would be a class Assembly—an assembly of £20 aristocrats. [*Laughter.*] He had heard the hon. Member make use of that argument. He was very glad that any argument could induce the hon. Member to vote in the direction that he (Colonel Sanderson) was going to vote. He had come to the conclusion that the hon. Member had never been in Ireland.

MR. DALZIEL: I have been in Ireland.

COLONEL SAUNDERSON: Then he ought to know better. He opposed this Second Chamber because it was

*Colonel Sanderson*

intended to make the English people believe that some security was provided against hasty and possibly criminal legislation. The Opposition proposed, if possible, to tear away from this measure all the shams by which it was surrounded, and which the Government would wish the country to swallow at the next Election. Already there were signs, however, that the people were becoming educated in this matter. They had learnt about these shams in Scotland. They were now learning about them in England—they were finding out that the measure would not give that security which every one of the subjects of the Crown had a right to expect. If a Second Chamber would give such security to the loyal minority he should certainly not feel justified in getting up in the House of Commons and opposing it. He was in favour of Second Chambers, but he was not in favour of a Second Chamber which was a delusion and which would simply be used as a bait to secure votes at the next Election—votes which never ought to be given to the Government by any man who desired that there should be fair play in dealing with the Irish people.

MR. J. CHAMBERLAIN: The question before us really divides itself into branches. We have to consider, in the first place, the principle of a Second Chamber; and, in the second place, we have to consider the Second Chamber proposed as a safeguard to the interests of the loyal minority in Ireland. As regards the principle of a Second Chamber, I confess I find myself unable to sympathise with the view of the hon. Member below me who thinks it a part of democratic doctrine to be opposed to all Second Chambers. That is one of the most wonderful observations that I have ever heard from an hon. Member who professes to be a democrat, because by such an observation as that he would condemn even the Senate of the United States, which certainly is one of the greatest of Democratic Institutions. The question of a Second Chamber depends entirely on the constitution of the Second Chamber. It is not a part of democratic, or of Liberal, or of Conservative policy either to support or to object to Second Chambers as such, and, for my own part, I do not hesitate to say that if a Second Chamber is properly constituted it will give

a great strength to any Constitution. So far as this point is concerned, I regard the discussion as a purely domestic quarrel between the Government and some of their supporters, and I have ceased to take any interest in such quarrels, because I know that they are carried on only as long as it is safe to do so. Hon. Members are perfectly prepared in private or even in public, in dealing with their constituents, to express objection to many portions of the Bill itself; but when any Amendment of the Government scheme is moved these bold and courageous partisans always inquire of the Government Whips whether the Government is in any danger, and, if they find that they are in any danger, they vote for them, or they go out of the House by the back way. Therefore, as far as the Government and their supporters are concerned, I think that it is best to let them fight out the matter among themselves. On a previous occasion I voted against the Second Chamber proposed by the Government, because I thought that it had almost every vice that a Second Chamber could have, and that it had nothing whatever to recommend it. On the present occasion I do not think it will be worth while to take part in the Division; consequently, the supporters of the Government can safely assert their independence without fear of the consequences. Turning to the second branch of the subject, I would say that the Government are pledged to propound in this Bill some safeguard for the minority in Ireland. They put forward this provision for a Second Chamber in the front rank as being such a safeguard. The Government profess to have a mandate from the country to carry Home Rule into effect. I cannot help thinking that the position of the Government in that respect has been slightly altered since they first asserted that they had received that mandate. I can imagine if I sat on the Front Ministerial Bench that I should be thinking how it would be possible to gag the country. The writing is upon the wall, and the Government is beginning to be found out.

**MR. SPEAKER:** The right hon. Gentleman must confine himself to the Amendment before the House.

**MR. J. CHAMBERLAIN:** I bow to your ruling, Sir. The Government say that their mandate was coupled with the

condition that they provide adequate safeguards for the minority; and looking at this proposal from that point of view, I find that every Member of the minority in Ireland repudiates the provision that is made. Under the circumstances, I am inclined to give the advice to the Government which I gave to the hon. Gentleman below me. Let them take back the boon for which nobody is going to thank them. In any case, however, I regard the little incident which has arisen as a purely domestic squabble between the Government and some of their own supporters, and, for my own part, I do not intend to take any part in the Division.

**MR. ADDISON** (Ashton-under-Lyne) desired to give his reasons for the vote he intended to give in support of the Amendment. The speech of the hon. and learned Member for Plymouth (Sir E. Clarke) was a convincing answer to those who regarded it as inconsistent for Members who believed in the principle of Second Chambers to support the Amendment. He (Mr. Addison), it was true, was a strong supporter of the principle of a Second Chamber in England, seeing that the veto of the Crown rested with the Ministry. There was no check on the Party in power, not even that of a two-thirds majority, outside the House of Lords, and a Second Chamber after the fashion of the American Senate could not be devised which would not come into conflict with this House. A check upon this House was necessary, and that they possessed. But was the check of a Second House necessary in the case of Ireland? He held that the proper check for the proposed Irish Legislature would be the Imperial Parliament. There would be 80 Irish Representatives in that House; and if there was any hasty and ill-considered legislation in the Irish Legislature, that House, which would retain a hold upon some important Irish affairs, would be the proper place to correct it. Then, it must be remembered that Ireland was a very poor country. It ought not to be disturbed by too many elections. They all knew that friction and disturbance of trade resulted from General Elections in this country, and these evils would be intensified in Ireland if it were necessary to hold three sets of Parliamentary Elections there—to say nothing of the probability of elections being ignored in

the future for county government purposes. He denied that hon. Gentlemen on the Ministerial side of the House were more deeply interested in the welfare of the poor and helpless than were the Conservative Party. In the interest of these people who would suffer by disturbance of trade they should avoid having too many elections in Ireland.

MR. WYNDHAM (Dover) could not content himself with an absolutely silent vote. His difficulty was that neither the Prime Minister nor the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had stated the problem before the House in terms to which he could yield assent. In his opinion, differing from the right hon. Member for West Birmingham, the question did not depend so much on the composition of the Second Chamber as on the authority and the status of the Legislature in which it was to play a part. Under the Bill they were asked to constitute a subordinate Parliament for Ireland. Under the 3rd section of the 5th clause of the Bill there was power given to the Lord Lieutenant to act as the instrument in this House of order to check hasty and ill-considered legislation. His (Mr. Wyndham's) wish was to build up and buttress that provision, and to do nothing to impair or blunt the important functions it had to perform in the eyes of the electorate of this country. They knew well that unnecessary complication of machinery only led to a dissipation of force; and if the Lord Lieutenant, acting as the mouthpiece of the House of Commons, could adequately perform the duties, imperative in any Constitution, of checking hasty and ill-considered legislation, they would do well not to countenance any proposition that was likely to draw public attention from his acts or weaken his responsibility in this matter.

MR. COURTNEY (Cornwall, Bodmin) said, he had taken part in the discussion of this question in Committee, and though he must differ from the Chief Secretary that that constituted any disability to review the arguments then brought forward, he did not intend to go as fully into the matter as he had done on the previous occasion. The hon. Member for Armagh and the hon. Member for Tyrone had repudiated the Second Chamber contained in the Bill. The hon. Member for Tyrone certainly

guarded himself against being supposed to vote against Second Chambers in the abstract, and said that all he was voting against was the Second Chamber proposed in the Bill. Of course, it was impossible to fathom the motives which induced hon. Members to come to a special conclusion; but they could say, at any rate, in reference to the action of these hon. Gentlemen, that they were voting in direct violation of the principle laid down by Mr. Speaker as a guide to the House. They were not now asked to vote for the Special Chamber proposed in the Bill, but on the question whether, having regard to the condition of Ireland, the Legislature to be set up should consist of two Chambers. He must express his strong opinion as to the very perilous game which was being played by Members who, while thinking that a double Chamber was a judicious Institution generally, and would be an advisable thing to introduce into Ireland, were going to vote against the institution of a Second Chamber by this Bill. They were proposing to vote in that way because of the imperfections of the composition of the Second Chamber proposed. That, he conceived, was a policy fraught with extreme danger. But they appeared to distinguish between votes given and what might be the real meaning of the Members who took part in the Division. He had often had to criticise the right hon. Gentleman the Prime Minister for giving, as he thought, greater attention to form than to fact; but on the present occasion he felt bound to express his cordial admiration of the distinction he had drawn, and of his refusal to be led by the action taken on this subject in Committee into assuming that the votes there given expressed the deliberate and consistent opinion of the majority on the question of a Second Chamber. It was evident that hon. Members might now indulge in a line of action which at some future time might justify the Government in dropping this particular proposal. Therefore, he urged them to pause before voting against, or even abstaining from voting upon, the proposal to establish in Ireland a Second Chamber. The hon. Member for the Spen Valley (Mr. Whitaker), in supporting the Amendment, had repeated many phrases more or less familiar—more rather than less—with great fluency and con-

*Mr. Addison*



siderable force ; but what, after all, did his speech amount to ? The whole scope of his argument was prejudice against the House of Lords and against *ex officio* Guardians. It did not appear that the hon. Member had paid any attention to the general subject of Second Chambers, whether in the United States or in other Colonies ; he had not evidently studied the results of their action upon legislation. He did warn hon. and right hon. Gentlemen opposite against the peril they were running into in adopting a course which in the future might prove most injurious to their own desires and their own aims. They had to consider whether, under the special circumstances of Ireland, they could set up a single Chamber which would so represent the power, the interests, and the ideas of all classes in that island as to command implicit confidence. Those who knew how society was constituted in Ireland, and were aware how a Representative Chamber would necessarily be constructed, would know that their single Chamber would be a most imperfect Chamber. It must not represent all classes ; it would be pre-eminently the Chamber of Representatives of the tenant farmer class, and it would leave out from its composition all those other classes which they hoped would, in the future, increase in numbers and in power. A single Chamber by itself could not be trusted. How it was to be supplemented they were not prepared to say, but it was enough to know that the position in Ireland forbade the hope that a single Chamber would command confidence. It was well to take their minds away from the immediate circumstances in which they were living, and see whether they could not get light from other countries and other communities to guide them. If they looked across the Atlantic and observed what was going on in the United States, could anyone doubt as to the lesson they there learnt ? Bearing in mind the problems of extreme delicacy and perplexity now undergoing solution in the House of Representatives there, could any one doubt that that Body, by itself, would be a most imperfect body had it to deal with those problems. They saw in the American Senate what was there regarded as the complement of the House of Representatives by the judgment and the opinion of the people of the

United States. It was vain to refuse the introduction of a Second Chamber in Ireland on the plea that they would be able to deal more effectively with a single Chamber, for they would not have that power. In the course of the Debates on that question they had been told there would be constant supervision by the Imperial Parliament, followed by continual interruption, suppression, and nullification. But let them not be led astray by that. The idea reminded him of the child who, having taken a dose of nauseous medicine, thought it the best way to improve matters by bringing it up again. If the House accepted the noxious dose of that Bill they would be free to rejoice in their freedom, and certainly they would not wish to indulge in a repetition of Irish Debates. For these reasons he intended to repeat the vote he had given in Committee, and he would cordially support the Government in this proposal.

MR. A. J. BALFOUR : My right hon. Friend who has just sat down and the Prime Minister have both alluded to the proceedings in Committee, and they have suggested that a large number of gentlemen on this side and some on the other side voted against the institution of a Second Chamber not so much on account of their own personal convictions as that they hoped by that vote to embarrass, if not to defeat, the Government. I am one of those who both spoke and voted against the Government on that occasion, and though I had not the slightest objection either to defeat or embarrass Her Majesty's Government—[*Cheers*]—certainly I and my hon. Friends were not animated at the time by either of the amiable motives attributed to us. The fact is that when the subject came before the Committee it was discussed, not as an abstract question between a Second Chamber and no Second Chamber, but as to the efficiency of that particular Second Chamber which the Government proposed to institute, and we held then, as we hold now—at least, I hold—that the Second Chamber proposed in Clause 6 is a ludicrous sham, and is absolutely incapable of carrying out the most elementary of the important duties which we think ought to be handed over to a Second Chamber. We never thought, and we do not now think, that Second

Chambers are useless in general, or that in Ireland in particular they ought to be avoided. It is quite true that the argument has been advanced by my learned Friend the Member for Plymouth (Sir E. Clarke) and by other gentlemen that the proper check upon the rash and extravagant performances of a Chamber elected on a large suffrage is to be found in the case of Ireland not so much in a Second Chamber in that country as in the House of Commons. I think there was great force in that argument. If we could count upon acting as a constant check on every act of the Irish Legislature; if we could suppose that all the legislative measures of the Irish Legislature could be adequately supervised by the House of Commons, that check would be far more effectually exercised than could possibly be done by such a Second Chamber as is likely to be set up in Ireland. But if we have in Ireland a really effective Second Chamber, a Chamber which will not act as an occasional arbiter in great Irish controversies, but as a constant censor upon the measures of the other Chamber that will be far more effective than anything Parliament could hope to do, burdened as it is and as it must remain by great Imperial legislation. But when the time comes I will demonstrate that the Second Chamber, so far from being a check upon the tenant-farmer proclivities in the First Chamber, will entirely represent the tenant farmers to the total exclusion of the labourers and other classes in Ireland. We are precluded, however, by the ruling you, Sir, have given from the Chair, from treating the question in that broad spirit in which we were able to deal with it in Committee, for you have decided—and if I may presume so, rightly decided—that we must postpone until we come to Clause 6 the discussion on the character and functions of the proposed Second Chamber. Clause 6 is one of the 30 or 35 clauses on which we have not yet been allowed to say a word. The actual question now before us is very much of an academical character. It is not a question as to whether there should be the particular Second Chamber in Ireland proposed by the Bill, but whether Ireland is a country in which the check of a Second Chamber is or is not desirable. I think the particular check proposed by the Government is

*Mr. A. J. Balfour*

an absurd one, and when we come to examine it we shall be able to show that it is a mere blind, barren worship of a principle, good in itself properly applied, but absolutely empty and vague as the Government propose to apply it. We shall be able to show when we deal with Clause 6 that the application of the principle of a Second Chamber as proposed in the Bill will do more harm than good to those whom the Government desires to protect. On the present occasion, however, I certainly shall not tie my own hands for the future, or the hands of any of those with whom I have to work, by committing myself to a proposition which appears to imply that Ireland is a country so incapable of any rash action through its Representatives, so steeped to the lips in a wise Conservatism, that in that country above all others we should abstain from a check which, in other circumstances, I myself might desire to impose.

ADMIRAL FIELD (Sussex, Eastbourne) said, he desired to explain in a few sentences the vote he proposed to give. They had got into a fog. It was quite easy to steer a straight course if they were sure of their soundings, and he was sure of his in spite of the philosophic speech of the right hon. Gentleman the Member for Bodmin (Mr. Courtney), who had done a great deal to get them into that fog. He himself had had a straightforward training, and he refused to have his eyes blinded by abstract propositions. He had no hesitation as to the vote he should give. He approved the principle of a Second Chamber, but the proposal of the Government was a sham, a fraud, and an hypocrisy. As an honest sailor he was opposed to all shams, and, therefore, he should vote against this fraud and against the Government.

MR. TOMLINSON (Preston) said, he intended to vote for the Amendment, and for two reasons: In the first place, he would vote against anything which set up, or attempted to set up, an independent Parliament in Ireland; and the Amendment, if carried, would deprive that Parliament of one attribute of a Legislative Assembly. In the second place, the Government had shown that they did not intend to make this Second Chamber an effective Body. It was a pure

and perfect sham, and he could not vote for any such thing.

Question put.

The House divided :—Ayes 193 ; Noes 110.—(Division List, No. 268.)

MR. AMBROSE (Middlesex, Harrow) moved—

In Clause 2, page 1, line 15, to leave out from "laws," to "Provided," in line 17, and insert "in respect of all matters as applied to Ireland now dealt with in England by the following authorities respectively—namely,

- (a) the Board of Trade for England ;
- (b) the Education Department for England ;
- (c) the Local Government Board for England ;
- (d) any County Council for England ;
- (e) any Local Board of Health for England ;
- (f) any Rural Sanitary Authority for England ;

together with full power to constitute Local Authorities and to delegate all or any of the above matters to any Local Authority to be so constituted, and also full power to authorise the making, maintaining, and improving of railways, tramways, canals, waterworks, reservoirs, gas and lighting works, fisheries, and all other things which are the subject-matter of Bills known in either House of Parliament as local Bills."

The hon. and learned Member said, his proposal was to give the Irish people what he regarded as a complete system of Local Government, and one which avoided the difficulties surrounding the scheme now before the House. The proposal made by the Government broke both their pledges—namely, that they would enable the Irish people to manage their own affairs, and that they would not interfere with the supremacy of the Imperial Parliament. He contended that if his Amendment were carried the Irish people would have complete power and authority to manage their own affairs, and, at the same time, the supremacy of the Imperial Parliament would not be interfered with. The House had now decided that the Irish Members should remain in the Imperial Parliament.

It being Midnight, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

COPYHOLD (CONSOLIDATION) BILL  
[Lords].—(No. 438.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, that no alteration of the law whatsoever was proposed by the Bill. The Joint Committee had given it the most attentive consideration, and it would be a great convenience and give an opportunity for amending the law if it were allowed to pass.

SIR R. WEBSTER (Isle of Wight) : If the hon. and learned Gentleman gives us the assurance that the Bill—which is rather a heavy one, and not easily glanced through to grasp its purport—does not alter the Law of Copyhold, I have no objection that it should pass.

SIR J. RIGBY : We avoided with the greatest care making any alteration whatever.

MR. HALSEY (Hertfordshire, Watford) said, that on the assurance which had been given by the Solicitor General, he would withdraw his objection to the Bill.

MR. STUART-WORTLEY (Sheffield, Hallam) : It is necessary to have that assurance, because I know there are those on the Treasury Bench who have expressed the opinion that this opportunity might always be seized for altering the law.

Motion agreed to.

Bill read a second time, and committed for Thursday.

TRUSTEE (CONSOLIDATION) BILL

[Lords].—(No. 439.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR R. WEBSTER (Isle of Wight) asked the Solicitor General whether the Bill involved any alteration of the existing law ?

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) : The Joint Committee carefully struck out even the slightest alteration of the law, in order to be able to assure the House that there was absolutely no alteration made.

Motion agreed to.

Bill read a second time, and committed for Thursday.

# LABOUR DISPUTES (ARBITRATION)

BILL.—(No. 308.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed  
"That the Bill be now read a second time."

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): I ask the House to agree to the Second Reading of this Bill, which I believe would be of immense service at the present moment. Communications have reached me from persons connected with the present colliery dispute that if we could only refer it to some Court it would do an immense service. I hope, therefore, that hon. Members opposite will allow the Bill to be read a second time. I am prepared to send it with other measures on the same subject to the Grand Committee, and I believe that in one day the whole subject can be threshed out.

MR. WOLFF (Belfast, E.) asked that a day should be given for the discussion of the measure, as it was of so much importance to the working classes.

MR. MUNDELLA: It is impossible at this period of the Session that a day could be given to the Bill.

Objection taken.

Second Reading deferred till To-morrow.

# PUBLIC HEALTH (LONDON) ACT (1891) AMENDMENT BILL.—(No. 431.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,  
"That the Bill be now read a second time."

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.) said that this Bill was simply to cure an error in the present sanitary law in London. They ought to be very much indebted to the London County Council for introducing it, and he hoped the House would allow it to pass.

VISCOUNT CRANBORNE (Rochester): Does the right hon. Gentleman give us an assurance that the Bill does nothing more than to remedy a defect in the law?

\*MR. H. H. FOWLER: It merely restores the law to what the law was before.

MR. J. STUART (Shoreditch, Hoxton): Speaking for the London County Council, I can assure hon. Members that that is so.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) said, he objected to this Bill. He had been asked to put his name on the back of the Bill, but on consulting some of his friends he was strongly advised not to endorse it. However, having been assured that it made no alteration in the law, he would withdraw his objection.

Motion agreed to.

Bill read a second time, and committed for Thursday, 24th August.

# DEATH CERTIFICATION.

POWER TO THE SELECT COMMITTEE TO  
REPORT FROM TIME TO TIME.

First Report brought up and read.

Report to lie upon the Table, and to be printed. [No. 373.]

# STATUTE LAW REVISION (No. 2) BILL [Lords].—(No. 437.)

Read a second time, and committed for To-morrow.

# ISOLATION HOSPITALS BILL [Lords]. (No. 436.)

Read a second time, and committed for Tuesday next.

# SALE OF GOODS BILL [Lords].

Reported from the Select Committee, with Amendments.

Report to lie upon the Table, and to be printed. [No. 374.]

Minutes of Proceedings to be printed. [No. 374.]

Bill re-committed to a Committee of the Whole House for Monday next, and to be printed. [Bill 441.]

House adjourned at a quarter  
after Twelve o'clock.



HOUSE OF COMMONS,

Wednesday, 16th August 1893.

ORDERS OF THE DAY.

GOVERNMENT OF IRELAND BILL.

(No. 428.)

CONSIDERATION. [EIGHTH NIGHT.]

Bill, as amended, further considered.

MR. AMBROSE (Middlesex, Harrow.) said, he was endeavouring last night to put before the House his views upon the propositions which they were told would be found in the Bill. Those propositions were—First, the supremacy of the Imperial Parliament, which appeared in the Preamble; and, secondly, that the Bill was to be a Bill in relation to the peace, order, and good government of Ireland—that was to say, that the Bill was to relate to the affairs of Ireland exclusively. What he had ventured to point out was that these words “peace, order, and good government” were inconsistent with pledges of the Members of the Government, and involved in the Preamble. The words were inconsistent with the supremacy of Parliament. In the Bill of 1886 there was a clause dealing with the absence of the Irish Members, and, of course, the proposal that they should be excluded was objected to by the Unionists, and by others, upon the ground that it would be a badge of servitude. But, coming to the point—by excluding the Irish Members, Ireland became subservient to the Imperial Parliament, but, by retaining them, they merely transferred the servitude to Great Britain. It was impossible for them to suppose that they could have Ireland in command of these prerogatives, competing with England, without having servitude. They would have 80 Irish Members to come to the rescue. Great Britain would be subject to Ireland. [“Hear, hear!”] An hon. Member below the Gangway (on the Irish Benches) said—“Hear, hear!” If it was the Irish view that England was to become a subject Province of Ireland, let the British people understand that—let it

be perfectly plain to them, as he trusted it would be. He did not want to argue points that had been argued over and over again in Committee; it would be outside his purpose to do so, even if it were in Order for him to go into these details. He merely wanted to place these points before them, to show the absolute inconsistency of the Government. They had decided that the Irish Members were to be retained in the Imperial Parliament; and, having decided that, it was impossible for them to retain the words “peace, order, and good government of Ireland”—that was, if they maintained their pledges to the country, and if they allowed the Preamble to remain stating that the supremacy of the Imperial Parliament would not be interfered with. This was not consistent with the obligations imposed by the 5th clause. They were, it seemed to him, not only destroying the supremacy of the Imperial Parliament, but doing it with a vengeance, by establishing the supremacy of the Irish Members and the Irish Parliament. He asked what was all this for? He had considered the matter very carefully, and he could not see the necessity for handing over to the Irish Members and the Irish Legislature the command of the Executive Government—the command of the prerogatives, the administration of justice—criminal and civil. He thought he would be able to show that some such words as he proposed were demanded. For his part, he would not give the Irish Parliament the administration of justice and law, and the control of the various criminal jurisdictions throughout the country. Nobody would seriously argue—he hoped the Chief Secretary (Mr. J. Morley), whom he saw in his place, would not—that these were matters exclusively Irish. If the right hon. Gentleman did argue that, he feared he would not carry conviction to any part of the House or of Great Britain. He would illustrate what he meant. His point was that they did not want, for the purpose of a Home Rule scheme, the command of these matters to be handed over. If a London merchant sold to a Dublin trader in the ordinary course of business, let them suppose a dispute arising between the parties—the Dublin trader, say, adopting the methods of the tenant farmer,

who said he would pay no rent, and refusing to pay. In that case the London trader had to enforce his claim. For that purpose he must resort to the course of the law in Ireland. Would anyone contend that the procedure in that case was a purely Irish affair? It was not so, more than it was a British affair. The enforcement of legal obligations arising between people in the two countries was, it seemed to him, an Imperial affair. There was no more ground for calling it an Irish affair exclusively—

MR. SPEAKER: I must point out that this point cannot be raised on the Amendment before the House. It is not relevant.

MR. AMBROSE said, he was merely putting the case to show that the Preamble was inconsistent with the terms, "peace, order, and good government of Ireland." He would be sorry if he was out of Order. He would put his proposition without illustrating it further. He had intended to show that these were matters not exclusively relating to Ireland, but he would now pass on to the words he proposed to substitute, his observations so far having been in support of the leaving out of words on the ground that one part of the clause was inconsistent with another part. In the first place, he proposed to give to the Irish Parliament power to deal with all the matters now dealt with by the Board of Trade, including statistics, railways, canals, gas and water undertakings, merchant shipping, and a variety of other matters. He considered that he was more liberal in this matter than Her Majesty's Government, who exempted the Board of Trade altogether. He, however, did not see why, within certain limits, the Irish Legislature should not have power to manage trade regulations. He came next to powers as to Local Government. Those who remembered the Local Government Bill for England and Wales would remember that these powers in the Schedules of that Bill occupied 20 or 30 pages. The powers of the Local Government Board were enormous, comprising almost everything that could be imagined. He added the powers of Local Boards of Health and of Rural Sanitary Authorities, and also the conduct of Private Bill inquiries, believing it hard that Irishmen should be compelled to come to London for the settle-

*Mr. Ambrose*

ment of such matters. He hoped that any right hon. Gentleman who did him the honour to reply to him would point out any matter which was a purely Irish affair which would not be comprised in the scheme he had ventured to put on the Paper. If that could be done, and if anything was omitted, he should be only too pleased to add it to his scheme. His intention was to give to the Irish people the fullest possible control over purely Irish affairs, whilst denying to them the control of Imperial affairs in competition with the Imperial Parliament. The scheme would not in any way impede the Bill. The presence of the Irish Members in the Imperial Parliament, which was really needful, would no longer be objectionable; there would be no unwarrantable interference with taxation, and if any grant were required to meet expenses he was confident that it would not be grudged.

#### Amendment proposed,

In page 1, line 15. to leave out from the word "laws," to the word "Provided," in line 17, in order to insert the words "in respect of all matters as applied to Ireland now dealt with in England by the following authorities respectively, namely,—

- (a) the Board of Trade for England;
- (b) the Education Department for England;
- (c) the Local Government Board for England;
- (d) any County Council for England;
- (e) any local Board of Health for England;
- (f) any Rural Sanitary Authority for England;

together with full power to constitute Local Authorities and to delegate all or any of the above matters to any Local Authority to be so constituted, and also full power to authorise the making, maintaining, and improving of railways, tramways, canals, waterworks, reservoirs, gas and lighting works, fisheries, and all other things which are the subject-matter of Bills known in either House of Parliament as local Bills."—(*Mr. Ambrose.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): I must compliment the hon. and learned Member on the modesty of his appearance on the present occasion. This is now, I am sorry to say, the 70th day—I am not sure that it is not the 71st day.

MR. W. E. GLADSTONE: The 71st.

**MR. J. MORLEY:** Yes; the 71st day of the discussion of this Bill in one form or another. On this day the hon. and learned Member rises and makes a speech of more than half-an-hour in duration—including that portion with which he favoured us last night—in support of a proposal which, he says, would not impede the Bill, but which would turn it topsy-turvy, and would reduce to a complete farce the 1st clause, which is now entirely disposed of. I consider—and I think the House will consider—the hon. Member's conduct in this matter rather extraordinary.

**MR. AMBROSE:** The right hon. Gentleman charges me with want of modesty in bringing forward this Amendment at this stage. He ought to remember that at an early period of the proceedings in Committee I tried to move it, but was ruled out of Order.

**MR. J. MORLEY:** I remember the episode to which the hon. Member alludes; but I am not sure that it is in his favour. We have had a discussion upon a proposal in substance identical with the proposal of the hon. and learned Member. His proposal is to leave out "peace, order, and good government," and to substitute the words on the Paper. Well, that was the identical proposal which the Committee discussed at great length on the Amendment of another hon. Member; and it was exactly for the reason that the Amendment now moved covered the same ground as one which had already been before the Committee that the Chairman ruled it out of Order. In conformity with the spirit of the suggestion which Mr. Speaker was good enough to make to the House yesterday, and which was cordially accepted by the Leader of the Opposition, who recommended the same course to hon. Gentlemen who act with him, I do not propose to enter again into a question which has been adequately discussed on previous occasions. There is nothing more to be said of the Amendment, except that it is in flat contradiction, not only to the principle affirmed by the Second Reading of the Bill, but to the 1st clause. It is a proposal to substitute for the control by the Irish Legislature of peace, order, and good government certain specific and narrow powers. He proposes to confer on the Irish Legislature the powers of the Board of Trade,

which would include powers over merchant shipping and trade, and many other things which no one desires to confer on it. The House having affirmed that it is expedient there should be a Legislature in Ireland composed of the Queen and two Houses, to propose now that that Legislature so composed should have nothing to do but with local affairs and local purposes is, as the Prime Minister said in regard to a former Amendment, nothing more than a bad joke.

**MR. A. J. BALFOUR** (Manchester, E.): I would remind the Chief Secretary, who is so angry with my hon. and learned Friend for bringing forward a proposal to frame the Bill on lines of local purposes, that whenever it suits the purpose of the Government and their supporters to say that the Bill only gives to Ireland the control of her own local affairs they never hesitate to make that statement. Hon. Members sitting behind the Chief Secretary, in large numbers—I will not say in what numbers—have gone to their constituents and been elected as Representatives of Home Rule, because, as they have assured those long-suffering individuals, they have no intention whatever of allowing any Bill to pass which is more than a Bill giving Ireland the control of its own local affairs. The particular enumeration of the duties which my hon. and learned Friend seeks to impose upon the Irish Legislature may not be the best that can be conceived; but, at any rate, he is justified in putting down an Amendment which obliges the Government, and even more their followers, to say whether they do or do not adhere to the statements on this subject which they have constantly made in the country, and sometimes in the House of Commons, and in regard to which I have no doubt the House will hear more when the details of the measure have been forgotten. The Chief Secretary has been good enough to quote some words I said yesterday, as to the course that ought now to be adopted with regard to the very small percentage of clauses which so far we have been allowed to discuss in Committee. I made those observations deliberately, and I adhere to them; and they are to the effect that, in my judgment, it is only advisable to bring up those subjects that are of first-rate importance. Let me remind the House that the fact

that a question has been discussed in Committee is not in itself any reason for not discussing it on Report. The whole theory of our Debate is that the House reviews on the Report stage what has been done in Committee. Although I fully agree that anyone who desires to prevent an undue waste of time would not advise that every point raised in Committee should be surveyed and re-surveyed, on the other hand, there is no one in the House who would think of laying down the proposition that because a point has been discussed in Committee therefore there shall be no discussion of the same matter on Report. With regard to the Amendment of my hon. and learned Friend, I agree that it is one which, if carried, would entirely destroy the Government Bill; but the reason is simply this—that the Bill is not in conformity with the professions of its supporters and the pledges of the Government. Therefore, I think my hon. and learned Friend is perfectly justified in asking the Government and their supporters to come clearly out into the open, and say that by Home Rule they emphatically do not mean a Bill which simply means to give to Ireland the power of managing their own local affairs.

MR. ROSS (Londonderry) said, he could have wished that the subject of the Amendment had been treated in a more serious manner by the Chief Secretary, and that in answer to the hon. and learned Member they might have heard a statement from the Prime Minister. He knew the Prime Minister was in the habit of ridiculing every one of these Amendments; but he certainly thought that this was one which required the fullest consideration of the House; and, although he did not agree with the hon. and learned Member, believing that the proposal really went too far and made enormous concessions to Ireland, he would be willing to end the tremendous struggle that had been going on in this country on the terms suggested in the Amendment. To his mind, it was necessary that there should be some compromise, and in that spirit he was willing to assent to the hon. and learned Member's proposal. No one could say that the concessions made in the Amendment were small ones. To give Ireland control over all local affairs, save those which would constitute her into a

Sovereign State, seemed to him to be going very far indeed. The Government claimed that they had a mandate from the country for the purpose of granting Home Rule to Ireland; but there was no shadow of a pretence for saying that that mandate went any further than what was contemplated in the Amendment. The Government said they had a mandate to give Ireland autonomy; but a glance at the election addresses of their supporters would show that all they had proposed at the General Election was an enlarged scheme of Local Government, and nothing in the nature of the proposals embodied in this Bill, and the voters who gave the Government a majority at the last Election accepted that view of Home Rule, and never dreamt that the enormous powers contained in the Bill with respect to the Judges and police and the lives and liberties of the minority in Ireland would be conferred upon the majority. This Amendment contained the alternative policy of the Unionists pushed to an extreme—going as far as they could possibly go, and further than they thought they ought to go. The difficulties that already existed in connection with elected Boards of Guardians in Ireland were not an encouragement to them to enlarge the principle of local self-government in that country; but they were willing to accept it by way of compromise. He did not admit that any one of the grievances of the minority would be met by the proposal. As far as Private Bill legislation was concerned, he had always held the opinion that Ireland had a monstrous grievance, and that it was absurd that in the case of a Railway or Gas Bill it was necessary to spend in legal charges and in dealing with those matters in London almost as much money as was to be spent upon the works themselves. It was by reason of grievances such as these that the Government had acquired the majority which enabled them to force their Bill upon the House. He had frequently heard complaints made of jobs being perpetrated in Ireland in connection with the Grand Juries; but he had of late years had opportunities of investigating the conduct of the Grand Juries. He found that they acted fairly to all parties, and he had never heard on his Circuit of anything in the nature of a

*Mr. A. J. Balfour*



job. He admitted that these juries, not being elective Bodies, must cease to exist; but he was sorry for it, for the new Bodies would not, in his opinion, do their work nearly so well, and there would be more jobs. That would, however, right itself as time went on. Therefore he cordially supported the Amendment so far as it dealt with this matter. With regard to the other proposals of the Amendment, he agreed with them, but only by way of compromise. He did not wish to see the present situation prolonged. Heaven knew they did not wish the present embittered relations to continue. He and his friends had always entertained warm feelings towards their fellow-countrymen in Ireland, and he must say that the prolongation of this exceedingly bitter situation was most painful to them. They wished for the prosperity of Ireland and of every Irishman just as much as hon. Members below the Gangway, and they were prepared to accept the Amendment as a compromise, in order to put an end to the present embittered relations between the two Parties, which threatened to drift them into actual war. He knew a good deal of his countrymen in the North of Ireland, and he was certain they would never submit to the oppression of the Separatists. They knew by what had passed that the majority in Ireland had fatal memories, and would remember things they should forget. It was difficult to believe that the House would insist upon holding them to a Bill which would give the majority full control over one-third of their fellow-countrymen, who, after all, it would be admitted, had done a great deal of good for Ireland.

SIR J. KENNAWAY (Devon, Honiton) said, he had no desire to unduly prolong the Debate; but, as he had hitherto taken no part in the discussions, he desired to make one or two observations. When the Chief Secretary brought forward as a reason for refusing to discuss the Amendment that they had already had the subject under discussion some time, he left out of sight the very exceptional character of the measure, and forgot that it had never been before the country, and that its provisions had been studiously concealed from the constituencies by the right hon. Gentleman and his colleagues. The country, therefore, had not had an opportunity of con-

sidering the alternative now presented to the House. He was happy to think that the country was now beginning to understand, as the result of the election at Hereford showed—[*Cries of "Order, order!"*]

MR. SPEAKER: I must remind the hon. Baronet that he is not at liberty to make a Second Reading speech on the Bill.

SIR J. KENNAWAY said, the question was, were they to give Ireland the power to deal with its own local affairs simply, or to satisfy the aspirations of the Irish Nationalists? They were all agreed to meet the views of the Irish Members as far as they could in regard to the government of their own local affairs, but they had not yet come to an understanding as to what those local affairs were. The Amendment of the hon. and learned Gentleman would help to bring them to an understanding as to what those local affairs were. He thought that the hon. and learned Gentleman who had brought forward the Amendment had served a useful purpose in defining the powers which the Irish Government should exercise. If there was not to be continual strife and contention between Ireland and England, it should be clearly laid down what were the powers the Irish Government should exercise. The Amendment went rather too far, but it indicated the right lines on which Parliament ought to proceed. There could be no doubt as to the question of industrial undertakings. Then, again, many on the Opposition side of the House had always felt that Ireland had been badly dealt with in regard to the great question of education; they also knew that the interests of Irish trade had been largely sacrificed to English interests, and they would be glad that, within certain restrictions, the Irish Legislature should be at liberty to deal with those questions. There was a time when even hon. Gentlemen opposite were afraid to give to Ireland any Local Government except of the most restricted kind. The Irish Local Government Bill introduced by the Leader of the Opposition, however, had shown the urgent necessity for entrusting the Sister Country with the management of many of her local concerns. The Opposition, therefore, were prepared to go to considerable lengths in that direc-

tion. He earnestly joined in the appeal of the last speaker, that they might be allowed to arrive at a fair and reasonable compromise without doing anything to impair the integrity of the Empire.

COMMANDER BETHELL (York, E.R., Holderness) said, that though it was true that the Amendment would ruin the Bill reasonable-minded men amongst the Irish Nationalists would see that it indicated the direction in which a compromise must eventually be sought. He knew that many Members of the Opposition would scout the idea of in any degree climbing down from the pedestal on which they had placed themselves; but, to his mind, compromise was essential, and the proposal before the House seemed to him to form a very good ladder for descent. He held that the hon. and learned Member had a perfect moral right to move the Amendment, as it would be remembered that he was ruled out of Order in Committee in consequence of a discussion having taken place upon a Motion in relation to the words "peace, order, and good government." The hon. and learned Gentleman was ruled out of Order on a mere technicality.

Question put, and agreed to.

MR. HANBURY (Preston) said, the next Amendment which stood in his name was purely a verbal one. He considered, however, that any misinterpretation of the words of the clause would involve large consequences; therefore, he asked for a declaration from the Government as to the precise effect of the words. He did not doubt for a moment that the intention of the Government was that the word "make" should also cover the words "repeal or alter;" but that was not the impression that the words conveyed to a lay mind. The word "make" did not necessarily cover "unmake." He should, however, be satisfied if he got some distinct statement from the Government that this was their intention, and that the words would carry out that intention. He wished to point out, however, that in Clause 20, when the Government were conferring powers on the Irish Legislature, they were not content with the word "make," but added the words "repeal or alter."

*Sir J. Kennaway*

Amendment proposed, in page 1, line 22, after the word "make," to insert the words "repeal or alter."—(*Mr. Hanbury.*)

Question proposed, "That the words 'repeal or alter' be there inserted."

MR. W. E. GLADSTONE: The words "repeal or alter" are, I believe, convenient and necessary words in Clause 20; but here it is quite clear that their introduction would not improve the clause. There is no doubt whatever about the effect of the clause. The hon. Member wants to shut out the power of repealing laws relating to certain subjects. The supposition is that the Irish Legislature will do this. How can they do it except by making laws? Can he point out to me any possible way by which the Irish Legislature can repeal or alter a law except by making a law?

Question put, and negatived.

MR. J. MORLEY: I beg to move the Amendment which stands in my name, with the object of carrying out a pledge I gave to the Committee on the 2nd of June.

Amendment proposed,

Clause 3, page 2, line 7, after sub-section (3), insert.—"(4) Authorising the carrying or using of arms for military purposes, or the formation of associations for drill or practice in the use of arms for military purposes; or."—*Mr. J. Morley.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR: I am obliged to my right hon. Friend for having put these words down, and I only rise to ask him a question in regard to the last three words of the Amendment, "for military purposes." I should have thought that these were words which would introduce great doubt into the provision, and would render it very difficult to interpret the clause. If there were any intention of evading the spirit of the provision, these words would, it appears to me, render it extremely easy to do so. I should, therefore, suggest that the words be omitted. It may, perhaps, be replied that such omission would unduly restrict the liberty of practising at rifle ranges, and so on, in Ireland, which nobody would desire to put a stop to; but it must be recollected that even if these words were omitted every freedom that now exists in Ireland will remain

unimpaired; and if any great extension of liberty in this matter is required—which I can hardly imagine, there being so much liberty in the subject now—the change could be carried out by the Imperial Parliament, in which Irish interests are to be represented. I think, therefore, it would be better to leave out these ambiguous words.

MR. SEXTON (Kerry, N.) said, he could not admit that the words “for military purposes” were in the least ambiguous. He was greatly surprised at the right hon. Gentleman’s speech, because in Committee the pledge given by the Prime Minister appeared to be accepted, and the words now proposed by the Government completely carried out the pledge. If the words “for military purposes” were excluded the result would be to deny to the people of Ireland that which was the ordinary right of free people all over the world. He could only say if those words were left out he could not regard it as otherwise than a stigma and an insult.

MR. J. MORLEY: If the right hon. Gentleman had consulted the Debates that took place in Committee on this question, he would have found that what I said was that the Government would bring up words limiting the prohibition contained in the Bill exclusively to armed associations, and for the use of arms for military purposes. The right hon. Gentleman then got up and said—

“I am sure we are very grateful for the concession the Government has made to us.” My hon. and learned Friend the Solicitor General, in a preceding speech, had expressly said—

“All that could be reasonably asked for is the insertion of appropriate words for the purpose of preventing the establishment of armed associations—associations for drill or practice in the use of arms for military purposes.”

I think, therefore, the right hon. Gentleman cannot deny that we have carried out our assurance, and that, at the time, he found no fault with our statement.

MR. A. J. BALFOUR: There is no difference, as I understand it, between us as to the object it is desired to carry out. The only question is as to the particular phraseology which best effects that common purpose. I do not think that the words I used in thanking the Government for their pledge can be considered to affect the question of drafting. I am

of opinion that the object would be better obtained by leaving out the words; but I do not press the point.

MR. BYRNE (Essex, Walthamstow) asked whether the Government would accept the words “for military or *quasi*-military purposes”?

MR. J. MORLEY: No.

Question put, and agreed to.

Amendment proposed, in Clause 3, page 2, line 8, to leave out the words “and other,” and insert the words “or any.”—(Mr. J. Morley.)

Amendment agreed to.

MR. DUNBAR BARTON (Armagh, Mid) moved, in page 2, line 14, after “treason felony,” to insert “criminal procedure.” He said, this Amendment was not open to the criticism the Chief Secretary had applied to a similar Amendment moved in Committee, because two important things had happened since that Amendment was discussed in Committee. The House had now decided that the Irish Members were to remain at Westminster for all purposes; and, what was far more important, the explanation which the Government had given of the words “due process of law” had made the subject of criminal procedure one of vital importance. He would not repeat what was said in Committee; but he would remind lay Members of that House what were the main headings which were covered by the subject of criminal procedure. That subject included arrest of prisoners, examination of witnesses, committal of offenders, the provision of bail, the subject of recognisances, the conduct of trials, the way in which a man might be committed, whether by indictment, criminal information, or Coroner’s inquisitions, the question of cross-examination, the mode in which a prisoner’s defence might be conducted, the question of Crown Cases Reserved—in fact, every question which protected or restricted the liability of any person charged with an offence, whether regarded from the point of view of his right, or from the point of view of the general interests. These matters were really more important than the substance of the law itself, as the particular stages of the trial of a prisoner were really links in the chain of the liberty of

every subject of the Crown. Under the Bill criminal procedure in England and Scotland could be regulated and affected by the votes, speeches, and arguments of Irish Members; but criminal procedure with reference to Irish citizens could not be in any similar way affected by English or Scotch Members. This was an inequality of a most glaring kind. It was evident that the only way of putting an end to it was to leave the criminal procedure for all parts of the Kingdom to the Imperial Parliament. He did not see how anybody could complain of having criminal procedure regulated by a Parliament in which he was represented. It seemed to him that the adoption of the *omnia* scheme enormously weakened the opposition of the Government to this Amendment, and very much strengthened the reasonableness of the cause of those who supported it. When they were discussing Clause 3 in Committee they were in darkness as to the meaning of that wonderful phrase "due process of law." Many of them, he believed, were still in a fog in regard to it; but they did know, at any rate, that the nearest definition that could be given of it was that given in the Michigan case—namely, that "due process of law" was intended to secure the right of trial according to form of law; that no man should be tried for his life, liberty, or property, except according to the form of law. But what was the use of giving the minority in Ireland the protection of "due process of law," if that due process was liable to be altered by the Irish Legislature? Certainly, the words, according to precedent and principle, had been added; but surely there were many bad precedents and principles which it would not be desirable to follow, and which, to say the least, were of doubtful value. The Judges and the Members of the Legislature would disagree as to whether certain principles were proper and right to be acted upon, and the fact was that the Government were leaving the whole thing in a state of uncertainty. They would have done well to have excluded criminal procedure from the purview of the Irish Legislature, and to have left the control of it to the Imperial Parliament. Would there be anything unjust in that?

*Mr. Dunbar Barton*

MR. MAC NEILL (Donegal, S.): Yes.

MR. DUNBAR BARTON said, that no doubt the hon. Member would develop that argument, and show where the injustice would come in—where criminal procedure would be betrayed by the Imperial Parliament, in which, be it remembered, Irish Members would sit. He would ask—Would it not be more satisfactory to all parties to have the process of Criminal Law fixed by Imperial Statute? Why did the hon. Member for South Donegal distrust the English and Scotch Representatives in this matter, joined, as they would be, with Irish Members? The hon. Member and his Colleagues claimed unlimited confidence from this House in the Irish Members, why should the confidence not be reciprocal? Similar restriction on matters of Criminal Law procedure were imposed on every State in the American Union; and if this Amendment were carried, could it be said that the Irish people would be placed at a disadvantage compared with the American people? Canada afforded them some light and some assistance in that matter, for their criminal procedure was reserved to the Central Dominion Parliament, and that afforded an additional argument in favour of the application of the same principle to Ireland. He submitted that this was a reasonable proposition, and that it was a step in the direction of making one of the so-called safeguards in the Bill really effective.

Amendment proposed,

In page 2, line 14, after the words "treason felony," to insert the words "criminal procedure."—(*Mr. Dunbar Barton.*)

Question proposed, "That the words 'criminal procedure' be there inserted."

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): As the hon. and learned Gentleman is aware, this subject was largely discussed upon a former occasion, the report of the Debate occupying 14 pages of *Hansard*, in four of which the hon. and learned Gentleman fully laid his views before Parliament. I cannot agree with the argument that this is not a fit subject to be delegated to the exclusive consideration of the Irish Legislature; and the fact that words of explanation have, at the wish of hon.



Gentlemen opposite, been added to the phrase "due process of law" goes against and not in favour of the present argument of the Mover of the Amendment. The words "due process of law" are now limited by a reference to precedents and principles, and therefore a considerable change in regard to procedure has been made by the House. Yet the House is now invited to reconsider its decision, arrived at after a long Debate, when something has been done which has been accepted on the other side as being distinctly, so far as it goes, in favour of the minority. This matter has already been amply debated. The Government are not prepared to travel over again the Debate covered by the 14 & 20 pages in *Hansard*, and I, myself, believe the Amendment is totally unnecessary.

MR. CARSON (Dublin University) said, the right hon. Gentleman had complained that the subject had been again brought forward, although it was previously discussed in Committee.

MR. W. E. GLADSTONE: I did not complain; I merely observed the fact.

MR. CARSON, continuing, said, the right hon. Gentleman pointed out that 14 pages of *Hansard* were taken up with the Debate, and then remarked that the hon. and learned Member who proposed the Amendment had done so with a lengthy explanation instead of in a brief speech. If that was not complaining, what was it? It was noticeable that whereas the right hon. Gentleman was always quite willing to discuss at considerable length, as in the case of the Second Chamber on the previous day, those safeguards which the Irish minority knew well to be no safeguards, and which were only put forward with a view to capturing constituencies at the General Election, he did not like any discussion upon those which were real safeguards. Now, he had no wish unnecessarily to protract the Debate; but he was bound to say they felt this was a matter they ought once more to press on the Government. The right hon. Gentleman had said that the Amendment would destroy the Bill; but surely it was logical that if the Irish Members were to vote upon matters relating to the liberties of Scotch and English subjects, *a fortiori* English and Scotch Members

ought to have a similar voice in relation to Irish subjects. The matter of criminal procedure stood on a different footing to that of the great majority of subjects which should be conceded to an Irish local Legislature. It was a *quasi*-Imperial matter which might vitally affect subjects of the Queen in England and in Scotland as well as in Ireland, and it was entirely different from the local matters which might be transferred to the Irish Legislature. True, no person was to be deprived of life, liberty, or property, save by due process of law, in accordance with settled principles and precedents; but those principles and precedents could not be properly maintained save by reserving criminal procedure to the Imperial Parliament. He hoped the House would reconsider its decision, and make effective, at least, one of the safeguards contained in the Bill with which it was now dealing.

MR. BODKIN (Roscommon, S.) said, that remembering the action of the hon. and learned Gentleman in connection with the Coercion Act of 1887, it was certainly very interesting to hear him advocate uniformity of criminal procedure for the Three Kingdoms. It was equally interesting to hear him speak on behalf of that great safeguard of personal liberty—namely, trial by jury, which, in the cases in which it was most needed, was abolished by the right hon. Gentleman the Leader of the Opposition, and refused by the hon. and learned Member himself in certain prosecutions. The Irish people were not likely to forget the manner in which the Coercion Act was administered by the hon. Gentleman, who now, forsooth, insisted on uniformity of criminal procedure! He could assure the hon. and learned Member that no such outrage on the liberty, even of political opponents, was at all likely to be exercised by an Irish Parliament as had been practised by the Tory Party in relation to Ireland. They might with perfect safety leave the Irish Parliament to deal with the question of criminal procedure, assured that it would never be abused as it had been abused by the Tory Party.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

\*VISCOUNT CRANBORNE (Rochester) said, he thought that the Government had no reason to complain of this matter having been brought forward now, because in Committee very urgent appeals had been made to them to allow this clause and the next clause to be postponed until they had been able to discuss Clause 9. He had ventured to point out at the time that it was almost impossible to expect the Committee to discuss adequately the excepted subjects in Clause 3 until they knew whether the Irish Members were going to be retained at Westminster or not. At the time the Government had not made up their minds on that subject, and it was quite possible that the Irish Members would have been excluded altogether. If the Irish Members had been excluded it would have very much changed the opinions of the Opposition on the question now before the House, because then there would be very much weight in the argument that it would be most unfair for Parliament to reserve complete control over Irish criminal procedure when there would not be one single Irish Member at Westminster. Therefore, if the matter had not been discussed in Committee with sufficient light it was altogether the fault of the Government. The House must now discuss the question with the knowledge that 80 Irish Members—all that Ireland was entitled to—were to be retained at Westminster for all purposes. The Opposition were, therefore, entitled to say that criminal procedure which might otherwise be necessarily referred to the Irish Parliament should be retained to the Imperial Parliament. That was no reason why no apology was needed for the introduction of the question now. Another reason would be found in the speech of the hon. Member for North Roscommon (Mr. Bodkin). That speech had thrown a lurid light on the subject-matter which the House was discussing. The hon. Member had said that criminal procedure was much safer in Irish hands than it was in the hands of the Imperial Parliament; because, as the hon. Member had said, the Leader of the Opposition had misused the powers of the Imperial Parliament in the matter of criminal procedure during the last Parliament. That was a most significant observation. The hon. Member

had spoken with some heat. It was quite evident that, in his mind, those crimes against which the action of this Parliament was directed a few years ago in Ireland would remain unpunished if the Irish Parliament had control of criminal procedure. The hon. Member had said that the Leader of the Opposition had abolished trial by jury for years. That was not true. If his right hon. Friend had modified trial by jury, had allowed summary jurisdiction in certain cases, and had changed the venue in others, he did it in order to control certain gentlemen in Ireland with whom he could not but suspect the hon. Member for Roscommon had no inconsiderable sympathy. He thought that if anything was needed to convince them that the Irish Parliament were not fit to be trusted with criminal procedure, it would be found in the spirit of the hon. Member's remarks. The hon. Member evidently desired to have control of the criminal procedure, in order to save those whom in England they called criminals.

MR. BODKIN : I rise to Order. I do not think it is in Order for the noble Lord to attribute to me a desire to save criminals from being punished ; and there was nothing in my observations—in which I engaged that the Irish Parliament would not deal unjustly with its political opponents—to justify such a remark.

MR. SPEAKER : I think the hon. Gentleman has reason to complain of the noble Lord.

\*VISCOUNT CRANBORNE said, he was afraid that he had expressed himself stupidly. He did not think that the hon. Member thought the persons to whom he had alluded were criminals ; but he said that the people whom the hon. Member desired to shield were, in England, criminals. But he would pass from the speech of the hon. Gentleman. It was particularly important that this Amendment should be insisted upon, because the Debate in Committee showed that the Government were not only unwilling to give control of criminal procedure to the Imperial Parliament, but were not even ready to protect the criminal procedure in the cases of those charges which had to do with the excepted subjects under Clause 4. In fact, there were an enormous number of charges which might be able to be made in the future against

the Irish Government under Clause 4; and though he had moved an Amendment to protect the procedure of the Judges under Clause 4, the Government took no notice of it. It was the same with regard to the highest Court of all, the Exchequer Court. The Irish Parliament might control the criminal procedure of that Court, as the Bill stood, and therefore the Amendment was necessary in order to protect the power of the Exchequer Judges to see that justice was done in respect to the high matters committed to them. The Prime Minister had said that, at any rate, the Opposition had gained a point in regard to "due process of law." It was gained only after infinite trouble, and was a very small point after all. The Opposition had not gained anything like what justice entitled them to, or anything like what the American law gave to American subjects. So long as the Irish Parliament retained control over criminal procedure there were no protections or safeguards which the House could pass to limit that power which would be worth the paper written on. Their power over criminal procedure would enable the Irish Parliament, if they were so disposed—and there was every reason to believe they would be so disposed—to evade the restrictions in the Bill, and relieve from all penalties those who might violate the Act.

MR. RENTOUL (Down, E.) said, that the Prime Minister had called attention to the space taken up in *The Parliamentary Debates* by the discussion of this subject on the Committee stage of the Bill. But if the right hon. Gentleman had looked carefully through those pages of *The Parliamentary Debates* he would have found that about half of the entire report was taken up by the speeches of two Members of the Government—the Solicitor General and the Home Secretary. Therefore, the bulk of that Debate had been taken up by the right hon. Gentleman's own supporters. But the Opposition would have no right or desire to complain of that if the merits of the question had been dealt with by the two gentlemen who had spoken on behalf of the Government. The entire speech of the Solicitor General was on the text, which he had given out himself, that the criminal procedure of this country was wrong, and that they ought to be ashamed of it. There was not in that speech a

single argument of any sort in favour of keeping this subject in the hands of the Irish Parliament. Then, again, the speech of the Home Secretary was based on trust of the Irish people. "You are trusting the Irish people in some things," said the right hon. Gentleman, "and why not trust them in this?" But the Opposition were not trusting anything at all to the Irish people; and, therefore, that argument fell to the ground. In fact, on the Committee stage they had had no real discussion of the matter, and it was now being treated by the Government in exactly the same way. It was said to be the object of the Government to give the loyal minority in Ireland some safeguards. But the Opposition had told them that the safeguards which they had given the loyal minority were, in their opinion, whether rightly or wrongly, absolutely useless. Now, when the Opposition proposed what they believed to be a real safeguard, the Government would not accept it. When the matter was discussed in Committee it was distinctly stated by the Government that the Irish Members would not be in the Imperial Parliament to vote on all subjects, and that, therefore, it would be unfair for English and Scotch Members to have the controlling power with regard to criminal procedure in Ireland. That argument, which the Opposition felt to be the strongest argument put forward by the Government, was now turned the other way. It cut exactly in the opposite direction. As matters now stood, the Irish would have the governing voice even in the criminal procedure in England and Scotland. The hon. Member for Mid Armagh had laid before the House 30 or 40 matters of the most vital importance which could not be covered by the Bill except the Amendment were accepted. If the hon. Member had referred only to one of those matters—the Law of Evidence—he would have made a sufficiently strong case. It would be very easy for the Irish Legislature to make certain changes with regard to the Law of Evidence—say that no one should be convicted in certain cases without corroborative evidence—which would allow all the untried criminals of the Land League to escape scot-free. The citizens of the Three Countries were closely interested in this matter. If there

was any one thing that was an Imperial question, it was clearly this question of the liberty of the subject. The subject was not to be deprived of life, liberty, or property without due process of law. But the Irish Legislature might render that protection worthless by changing the process of law. While the hon. Member for Mid Armagh (Mr. Dunbar Barton) was speaking, the hon. Member for South Donegal (Mr. Mac Neill) interrupted and said it would be an insult and a gross injustice to the Irish people, but the hon. Member for Roscommon (Mr. Bodkin) also rose and said—"You are clamouring for uniformity of criminal procedure throughout the Three Kingdoms, and yet your Act of 1887 took away that uniformity of procedure." As he understood it, the Act of 1887 was simply applying to Ireland the procedure that existed in Scotland, and there was no reason for referring to it except that it gave the hon. and learned Member for Roscommon (Mr. Bodkin) a chance of referring to what he was pleased to call the Coercion Act. What they asked in this matter was that the criminal procedure of the United Kingdom should continue to exist in Ireland as it was at the present time. With the exception of the Whiteboy Acts and one or two minor matters the criminal procedure of the two countries was identical, and was a procedure that had secured the admiration of the bulk of the jurists of the civilised world. Nearly the whole of the works on procedure and law which were used in Ireland were written by English lawyers. When they were told by hon. Gentlemen opposite they were dealing with a purely imaginary question, he would ask them to look back to Irish history, and they would find that in 1689 an Irish Parliament changed the criminal procedure for political purposes alone. The Irish Members, with hardly an exception, had threatened their political opponents, and that being so it was natural they should desire the House to take it out of the power of these gentlemen to carry out their threats. Criminal procedure had been withheld before from subordinate Parliaments. For instance, in the British North America Act they the maximal procedure was withheld the last local Legislature; and as a significant observation, one deliberately, the civil

procedure was distinctly committed to the local Legislature, whilst the criminal procedure was withheld. The United States had done exactly the same thing; therefore, there seemed to him in this clause which had been put forth a great deal to recommend it in declaring that the criminal procedure of Ireland should be in the hands of the Imperial Parliament. This Parliament had reserved to itself certain matters, as, for instance, the Foreign Enlistment Act; but it was perfectly possible for the Irish Parliament, by manipulation of its criminal procedure, to render that Act entirely useless and nugatory. The Prime Minister declined to argue the question on the ground that it had been fully dealt with on the Committee stage, and he (Mr. Rentoul) would appeal to the Home Secretary or the Solicitor General to say if he could point them to one shadow of argument in any of the speeches during that stage that dealt with the question?

\*SIR E. CLARKE (Plymouth) said, he had no desire to argue upon the Report stage matters that had been discussed in Committee, and in respect to which they were now in the same position as they then were, but it appeared to him that the answer of the Prime Minister was insufficient and unsatisfactory. The right hon. Gentleman said that this matter had been fully discussed on the Committee stage of the Bill, but he omitted to notice that the answer then given was one which it was no longer possible to put forward owing to the great changes which the Government had themselves introduced into the Bill since this subject was under discussion in Committee. The Solicitor General then said that as the Irish Members would not be entitled to speak or vote upon any proposals for amending the Criminal Law of England, it would be unjust and unreasonable that this Parliament should retain the power to interfere with the Criminal Law of Ireland. The force of that answer had now entirely disappeared, and, as matters now stood, a grave alteration in the Criminal Law of Ireland might be made by the Irish Parliament without the knowledge or consent of this House; while, on the other hand, if we desired to effect in this country an improvement in our Criminal Law, the Irish Members, who would be



entirely unaffected by that proposal, might come and object and even prevent the alteration. As an illustration, he might point to an alteration which, in the opinion of this House and of the House of Lords, was, above all others, the most desirable. The barbarous rule of our Criminal Law—that a person indicted for an offence was not allowed to give evidence in defence or explanation of his conduct—was, and always would remain until altered, a blot upon our law and a disgrace to our Legislature. For 22 years majorities in both Houses of this Parliament had been trying to pass Bills to remedy that defect. Why had they not been passed? Because the Irish Members had refused to allow them to pass; and even when the proposed alteration was confined to this country, the Irish Members still opposed it, on the ground that, if passed for England, a short Act of one clause might hereafter extend the alteration to Ireland. Suppose the Bill passed, what would be the position of the Irish Members? They might come and prevent the alteration of the law in this country, while they might make any change they wished in the Criminal Law in Ireland. That was an illogical position. He hoped there would be a frank willingness on the part of the Government to meet the case. He did not protest against this handing over of the Criminal Law to the exclusive control of the Irish Parliament on the ground that it would diminish the safeguards for the loyal minority, although he believed it would do so. He could not conceive how Members who had proclaimed the doctrines and avowed the sentiments that had been proclaimed and avowed by Members from Ireland would be justified in abstaining from altering the Criminal Law in Ireland and endeavouring to put that law in uniformity with their sentiments. They had said over and over again that the Criminal Law of that country ought to be in harmony with the sentiments of the people. There could be no doubt that if those who had led the Nationalist Party in this House had the control of the Irish Parliament, they would feel bound, as a matter of duty, and in consistency with the declarations they had already made, to endeavour to alter the Criminal Law in Ireland in a way a majority in this House might disapprove.

Then it was said that if the majority of the House disapproved, the House might, under Section 33 of this Bill, pass an Act setting aside the law so passed by the Irish Parliament; and, having set it aside, the Irish Parliament would have no longer authority to deal with the matter. That was true; but the remedy of passing an Act through this Parliament was a slow, difficult, and costly remedy. They knew the difficulties, and, of course, if they did, he was quite sure that the Members of the Government appreciated the difficulty at this moment of passing Bills through the House of Commons; so that it would be a slow remedy. But the ground on which he put his advocacy of this Amendment was not the ground of apprehension as to particular Acts being passed by the Irish Parliament, but was that if they were to have an Imperial Government at all which was to have effective authority in the different parts of the United Kingdom, they must have uniform criminal procedure, which should be in the hands of the Imperial Government. He did not say at this moment the Criminal Law was absolutely uniform in its procedure in all parts of the country. He conceded at once to every Scotchman or to every Englishman who had the honour to be a Scotch Member, the Scottish procedure had been put into a much better form, in many respects, than in this country; but during the time he had been in Parliament their labours had been, as far as possible, to assimilate the Criminal Law of the different countries. It had been said and made a matter of reproach to-day by the hon. and learned Member for Roscommon (Mr. Bodkin) that the law of 1887 set up a practice with regard to inquiries, where nobody was charged with an actual offence, which was not to be found in the law of England.

MR. SEXTON (Kerry, N.): It took away trial by jury.

\*SIR E. CLARKE said, he would come to that in a moment; but in regard to the point he was now on, it was pointed out that it was not found in the law of this country. Why was that? Ten years ago, to a year, in the Grand Committee of this House he supported the proposal of the right hon. Gentleman the Member for Bury (Sir H. James) that that rule with regard to preliminary inquiries should be incorporated in the law

of this country ; they tried to put that clause into the Criminal Law Consolidation Act, for the reason that they believed it would be of enormous advantage to the Criminal Law in the prevention of crime. The hon. Member for North Kerry (Mr. Sexton) had referred to the Act of 1887, which he said enabled questions to be dealt with by Magistrates and not by juries in the trial of offences. He (Sir E. Clarke) would like to say that the Act of 1887 was never declared to be an alteration or permanent alteration of the Criminal Law.

MR. SEXTON : It was a perpetual Act.

\*SIR E. CLARKE said, that was so ; but it was a perpetual Act that could be put in force from time to time when necessary ; it was putting on the Statute Book a machinery which might be used at a particular time for the purpose of dealing with a particular emergency. There was nothing in the Act that conflicted with the policy they had been acting upon for years—namely, the endeavour to make the Criminal Law alike in all countries. The administration of the Criminal Law was a matter of Imperial concern, and it was a mischievous and separating thing to have an offence criminal in one country and not in another. On those grounds he supported the Amendment that had been put forward, and he urged on the Government that this Amendment, which they were justified in resisting before, ought to be accepted now on the principle that, having submitted to the necessity of keeping the Irish Members here for all purposes, they ought to say the Criminal Law was a matter of Imperial concern and should be continued in the Imperial Parliament, which alone should deal with this important matter.

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) : My hon. and learned Friend has travelled at considerable length, and with his usual ability, over ground that was completely covered when this matter came before the Committee on this Bill. My hon. and learned Friend has sought to establish a justification for going over and over again matters that were then decided, by the suggestion that a change has since been introduced in the structure of the Bill that qualifies or mitigates the force of the

arguments then used by the Government and the Opposition. What is the change ? My hon. and learned Friend says at that time the proposal of the Bill was that the Irish Members should only come and vote on matters of Imperial concern, whereas the modifications subsequently assented to in the 9th clause would enable Irish Members to come here to vote on British as well as Imperial affairs. I have looked carefully through the speeches made in Committee, and I do not find an allusion to anything of the kind. We did not base our objection to this grotesque proposal in the least degree on the fact that we were taking away from the Irish Members the power of debating criminal procedure so far as it relates to England and Scotland. The ground which we took, and which I take again now, can be stated in two or three sentences. It is absurd to give to an Irish Legislature, as you are doing by this Bill, the power of enacting a Criminal Law for Ireland and in the same breath to take away the power of enforcing that law by appropriate procedure. As to the uniformity in the law, perhaps it would be sufficient to say as between England and Scotland the greatest disparity exists, and no one will venture to get rid of it. It might, further, be sufficient to say the late Government, by the enactment to which my hon. Friend has referred, enacted a permanent and perpetual distinction between the laws of England and Ireland in relation to matters that vitally affected the liberty of the subject. But I will not take that ground, because it is not relevant to the Amendment before the House. If my hon. and learned Friend is such a strong advocate of uniformity why not propose to take away the power of legislating in respect of Criminal Law ? What would be the effect of carrying this Amendment ? You would allow the Irish Legislature to determine by Act whether a particular Act should be an offence, whether an offence should be a felony or only a misdemeanour ; you would allow them to determine whether it shall be punished by penal servitude, by imprisonment, or by death ; but you would take away the power of determining the manner in which the offence should be tried, the power of saying whether petty offences should be

*Sir E. Clarke*

tried by jury or summarily before a Magistrate, the power of saying whether such-and-such persons should be competent witnesses. In other words, while you would give the Irish Legislature the principal power of legislating in relation to Criminal Law, you would take away and destroy that which is necessary to put the law in force. That is the proposition that is now seriously put before the House of Commons! It was discussed at length in Committee and rejected, and not a single argument has been adduced in the course of the Debate which should induce the House to go back on the decision of the Committee.

Question put, and negatived.

SIR J. GORST (Cambridge University) proposed the following Amendment:—

Page 2, line 15, after the word "or," to insert as a new sub-section the words "(7.) The hours and conditions of labour in factories, workshops, and mines; or."

He said: The conclusion to which I invite the House by this Amendment is that legislation relating to factories, workshops, and mines had much better be left to the Parliament of this United Kingdom, and this conclusion I base upon these premises: first, that legislation of this kind has become, or is on the point of becoming, an International matter; and, secondly, that under these circumstances it is for the advantage of the people of the United Kingdom that such legislation should be regulated by a single Parliament and not by two separate Legislatures—one for Great Britain and the other for Ireland. As regards my first premise, I suppose everybody who reads the newspapers and who is acquainted with the history of his times knows that the working classes in all the civilised countries of Europe are now taking part in a great and powerful movement, which is a movement in favour of the better conditions of labour, and more protection for the labourer, and that the direction which this movement is taking at the present moment is a demand for uniform legislation in the various civilised countries of the world, so as to make the hours and the conditions of labour generally as much alike as possible in these various countries; and it is also taking the direction of put-

ting pressure—which sooner or later will become irresistible—upon the Governments of the various civilised countries to come together and enter into common agreement for the regulations under which machine labour and mining labour should be carried on in the various civilised countries of the world. I believe the Conference which took place at Berlin a few years ago was a mere rudimentary Conference which, hereafter, will develop into Conferences of very much more importance and of a very much wider-reaching kind. You have got the Government of Switzerland, which is entirely dominated by the interests of the labouring classes, using every possible opportunity of pushing on Conferences of this kind; and you have got the Governments of the great European countries—Germany, France, and Great Britain—every day more and more influenced by the sentiments and opinions of the working classes, and, therefore, every day driven more irresistibly into these sort of Conferences. I do not think I am indulging in the spirit of prophecy, or making any extravagant forecast of what will happen in the time to come, when I say I do not believe many years will pass over our heads before we shall have a Conference of the Governments of the great European States which will then be called upon to pledge the Legislatures of their respective countries to enter into certain broad legislative enactments with regard to the conditions under which labour should be carried on. Now, that is my first premise—that these questions of labour legislation, if they have not already become, are very rapidly becoming, matters of International concern. If I am right in that position, is it the interest of the people of the United Kingdom that they should be represented in matters of this kind by one Legislature or by two? I suppose it is not the idea of the present Home Rule scheme that Ireland should have any separate diplomatic representation, and that, therefore, in any Conference of the future you will not see Great Britain and Ireland ranged one against the other in the same way as at the Berlin Conference you saw Austria and Hungary, Sweden and Norway, Holland and Luxemburg, represented by different Delegates, taking different lines, and advocating different principles.

I suppose it is the scheme of the Home Rule Bill, as far as diplomatic representation is concerned—though very possibly some gentleman representing Ireland might be united with any British Delegate as a Representative to a foreign country, yet the representation of the United Kingdom would be still one and indivisible. But the probable result of such a Conference will be that the Delegate from the United Kingdom, of whatever elements it may consist, will have to pledge the Government of the United Kingdom to certain definite steps in the direction of legislation much more than the Berlin Conference did. The Berlin Conference did not pledge the Governments to any definite step of legislation, but merely laid down certain principles which were generally pronounced to be desirable. But this Conference will be of very little use if the Governments of the countries who are represented there do not enter into some kind of understanding or engagement that the Legislatures of the countries they represent will, on certain broad lines, conform to the general uniformity of European legislation in these subjects. I ask anybody, either an English or Irish Member, to consider what an embarrassment it would be if the Representative of Great Britain has to speak for two independent Bodies—the Legislature of Great Britain and the Legislature of Ireland? It is bad enough to pledge one Legislature in these democratic days, and any Government which enters into an undertaking that its Parliament should pass certain measures has to do so with great caution and circumspection. It is an extremely delicate matter, but how much more delicate it would be if the Representatives of the United Kingdom had to enter into any kind of undertaking as to what the Irish Legislature would do! How could they possibly carry it out? How could they speak in the Councils of Europe with the voice with which the Representatives of the United Kingdom—the greatest manufacturing and industrial country in the world—should speak if they have the knowledge and consciousness all through that there is a Legislature within the limits of their own country over which they have absolutely no control whatever. The Government know—I have no doubt hon. Members who sit on both sides of the House know

*Sir J. Gorst*

—that even in such a rudimentary Conference as the Berlin Conference our own Government of India, which was not separately represented there, resisted to the utmost, and resists to the present day, the carrying out of the opinions of the Berlin Conference, and neither the late Government nor the present Government has been able to get our own Indian Government even up to line with the Resolutions of that Conference. I will just give the House one single instance which will show what I mean. There was nothing upon which the Representatives of the several industrial countries in Europe were more enthusiastically unanimous than in the prohibition of the underground labour of women in mines. There was not a single dissentient voice on the part of any Representative of any country in Europe against that proposition, which was the first of all the propositions laid down by the Berlin Conference three years ago, and yet to this day women are working regularly in the underground workings of the Indian mines. I am not quite sure that in some Government mines they have been stopped; but certainly in the Indian mines generally women are to this day working in the underground mines, and the Government of India are resisting with the utmost force they can any Indian law which will interfere with labour of that kind. That will give you an idea of the difficulty which the Government has in pledging any Legislature over which it has no absolute control. That is my second proposition—that it is much more for the interests of the United Kingdom—for the people of Ireland as well as the people of Great Britain, that in International matters of this kind the Parliament which has to deal with such matters should be a common and not separate Parliament. Let me ask the House to consider for a moment the position we shall be in in reference to legislation of this kind, because since this matter was discussed—very insufficiently, I think—in Committee, a very great and perfectly fundamental change has taken place in the Bill. It is this: that while the people of Ireland will exercise full influence in regulating the conditions of labour in factories, workshops, and mines in Great Britain, the people of Great Britain will have nothing whatever to say to regu-



lating the conditions of labour in factories, workshops, and mines in Ireland. Without being at all offensive to Ireland, I may say that as a manufacturing people she occupies a very inferior position to that of Great Britain. It is not only that the manufactures of Ireland are much smaller and less important than those of Great Britain, but the manufacturing population of Ireland bears a much less ratio to the whole population of Ireland than the manufacturing population of Great Britain bears to the whole population of Great Britain. Therefore, you have this extraordinary anomaly: that the labour legislation of the great manufacturing country of Great Britain is to be controlled by the, comparatively speaking, agricultural population of Ireland, whereas the small and insignificant labour legislation of Ireland is not to be touched by the great manufacturing people of Great Britain. I hope this matter will be understood in Lancashire, Yorkshire, Lanarkshire, and the great centres of British industries, and that the people of these countries will be indoctrinated in the course of the controversy on this matter into the knowledge that it is no part of the scheme of the Government that their labour is to be regulated by Ireland, and that they are not to have any voice in the regulation of Irish labour. But, at any rate, I am right in saying there is one curious anomaly which exists in the case of labour legislation—that whereas the people of this country—who are so greatly interested in these labour questions—or the Representatives of the United Kingdom will settle what their conditions of labour are, that will not extend to that part of the United Kingdom—Ireland—which, not being specially a manufacturing country, is at liberty to have a peculiar law to itself. I know in times past these Labour Laws have been regulated by different countries under the idea that by a Labour Law of a particular character they would gain some economical advantage. I am a great disbeliever myself in the advantages of bad labour. Though the laws of this country are more stringent than those of most countries, I do not think our industries suffer by proper attention to women and children, and to the conditions of labour. I do not think the country suffers by it,

but a great many people do. There is a great feeling on the part of many nations on the Continent that if people work long hours they will gain an economical advantage by it, and that heresy prevails in England and Ireland. A great many people think that by relaxing the attention given to women and children, by relaxing the stringent conditions under which mining and manufacturing labour is carried on in Great Britain, some economical advantages will result. How are we to feel certain that heresies of this kind may not induce the Irish Legislature, as a concession to manufacturing interests, to make some relaxation of labour legislation, some differences in the amount of protection afforded by labour legislation, which not only would be very disadvantageous to the people of Ireland, but would interfere with our acceding to that uniformity of law which the nations of Europe are likely in the coming period to demand? Again, what a disadvantage it would be to the United Kingdom if, owing to economical heresies of this kind, the law which prevails in the United Kingdom, instead of being the one general law, should become two! I have, I think, adduced reasons which ought to commend themselves to the minds both of the Government and of Members who represent Irish constituencies in this House. I confess I have put down this Amendment more as a protest upon an important matter of International interest than with any idea that practical good will come out of it. I am afraid the Government will not accept the Amendment, because they have apparently got to a period when they will only pass the Bill as it stands, and will not apply their minds to a new consideration of this character. But even if they were to accept the Amendment, I have very grave doubts as to whether it would really preserve the unity of the United Kingdom for this purpose, because if you create in two parts of the United Kingdom two separate Legislatures and two separate Executives it would be possible to help diversities of legislation and of government springing up, diversities which must inevitably lead to separate Institutions and separate laws in these great subjects. Of all the subjects outside the domain of purely Imperial subjects, there are none upon

which it is more for the interest of the people of England and of Ireland that there should be one uniform law, and one Legislature which could alter that law in accordance with the requirements and sentiments of civilised peoples than this subject of factory legislation, and it is in the interests not of the people of Great Britain alone, but of the people of Ireland also, that I propose this Amendment.

Amendment proposed,

In page 2, line 15, after the word "or," to insert as a new sub-section, the words "(7.) The hours and conditions of labour in factories, workshops, and mines; or."—(*Sir J. Gorst.*)

Question proposed, "That those words be there inserted."

MR. J. MORLEY: The right hon. Gentleman who has just sat down has made, as he always does, an extremely ingenious and interesting speech. He began by saying, and he ended by saying, that he thought uniformity of these Industrial Laws between Great Britain and Ireland was greatly to be desired, and he has urged various considerations in support of that view. But then, very shortly before he closed his speech, with that touch of cynicism which always imparts a particular flavour to all his utterances, the right hon. Gentleman said he had no hope whatever that the insertion of this, or any provision of the kind which he or his friends endeavoured to get inserted, would not have any effect in producing the very end which he has in view. I think, that being the case, he really owes some explanation to the House for having once more made over again the interesting speech which he made on the 6th June? It was the very same speech, and the very same arguments. For myself, I like what is familiar and what I have heard before; and certainly, every argument used by the right hon. Gentleman we were familiar with, for we heard them on the 6th June. We then answered his speech to the best of our ability. A good many Members of the Committee spoke upon the proposal, and the Committee divided upon it. As the right hon. Gentleman says, he hopes for nothing even from the acceptance by the Government and the House of this proposal. Why he should have taken up time, even in this inter-

*Sir J. Gorst*

esting way, I cannot for the life of me conceive. I cannot consent to go over the grounds which were covered by the right hon. Gentleman, and to which we replied on the former occasion. The right hon. Gentleman says that there is one change which has taken place in the position since we last discussed this proposal. He says now he and his friends, or anybody who is so minded, will go down to the English and Scottish constituencies and will point out to them that the Irish Members will be able in their own country to make their own Factory and Mining Laws, and so forth, and that they will also be able, perhaps, to have a casting vote in making the Industrial Laws for Great Britain. For my part, I am not the least afraid of any demonstration of that kind when we remember what the right hon. Gentleman appears to have forgotten, that in the discussions in Committee it was precisely the Representatives of English and Scottish labour in this House who were most decided in opposition to the proposal which the right hon. Gentleman then made, and which he now makes again. The English labouring class have never found the Irish Members or the Irish National Party hostile or even cold to their claims or their interests; therefore, that new point which the right hon. Gentleman made—and the only new point, I think—we are not at all afraid of. I am in accord with very much the right hon. Gentleman has said upon the desirableness of our Empire, as a whole, if it were possible, being represented at one of these great International Conferences which I quite agree with him in thinking likely to become more and more frequent. It would be a great advantage we should represent as great a force and consensus of opinion and purpose as possible; but then I must remind him that we have not been able to secure identity of action and purpose in our own Colonial Governments—the Indian Government, for example—and there is no reason to hope we shall be more successful in obtaining that identity of action in the future than we have been in the past. The position of the right hon. Gentleman is this: that for the sake of some speculative, remote, and contingent advantage to be derived from a single representation

at one of these Conferences you are to commit the absurdity of requiring the Irish Legislature to make laws for good government in its own country, and yet they are to make no laws as to public health, workshops, mines, and so forth. Surely the right hon. Gentleman is far too acute not to see that the position is an absurd one, and I would point out to hon. Gentlemen opposite that if they support the Amendment of the right hon. Gentleman they will have to do it upon grounds the exact opposite or absolutely different from those which they took up in supporting the Amendment of the hon. and learned Member for Harrow (Mr. Ambrose). The point urged by the hon. and learned Member for Deptford (Mr. Darling) and others in support of that Amendment was that you were willing to concede to Ireland full power of carrying out her own purpose and her own interest in all these purely local matters, and yet almost the next vote you are asked to give is to take away from Ireland the power of making laws in those very matters which have any special concern for her interests.

MR. HANBURY (Preston) said, very few Amendments to the Bill had been moved which were more important, and in which a keener interest was felt in the Lancashire constituencies than in this particular Amendment. He could quite understand the right hon. Gentleman did not attach very much importance to it, because they knew that in those constituencies Gladstonian candidates had great difficulty in reaching any position near the head of the poll. What his constituents, amongst others, complained of was the uncertainty in which this question was left by the Government. The Government contended that there was no possibility of the Irish Legislature making any new laws on this subject. If so, why did not the Government boldly stand by their opinions and put a clause into the Bill forbidding the Irish Parliament to interfere in these matters? The Government next asked—“What was the necessity for doing anything of the sort? Ulster had been able to compete with England under the same Factory Laws that existed for all the United Kingdom; and if Ulster had been able to do so, why should not other

portions of Ireland, which have at least equal advantages with Ulster?” As regarded Ulster, he was not sure that the power to increase the hours and alter the conditions of labour would not have a bad effect; but, at any rate, it would unsettle the whole conditions under which labour in the Ulster factories was carried on. The Chief Secretary seemed to think that the right hon. Member for the Cambridge University (Sir J. Gorst) had taken up a very illogical position in proposing this Amendment, and, at the same time, admitting that if introduced into the Bill it would not have much practical effect. But that was because they looked on the whole Bill as so ridiculous that they believed that whatever safeguards were inserted they would have no effect. The Government, however, took the opposite view, and that was all the more reason they should accept this Amendment, which was designed to protect English manufacturers and traders. The right hon. Gentleman said that the Labour Members spoke strongly on this subject before; but he did not think the hon. Member for Battersea (Mr. J. Burns), who spoke upon it, could be regarded as one who was able to speak on behalf of the people of Lancashire. They had no reason to suppose that Ireland would follow the example of England in this matter than the operatives of the Continent, and it was to be remembered that the suggestions which had been made by the hon. Member for Battersea applied to the old trades, but would not be so applicable to the new industries that would spring up in Ireland. The hon. Member said, in opposition to his statement, that they should organise to meet any difficulties that might arise; that Ireland had a right to make up leeway for the loss which had been caused by the policy of England. That looked as if the hon. Member thought that Ireland would do something to improve her industries. He (Mr. Hanbury) would venture to point out the natural way under this Bill for improving local industry was by an extension of the hours of labour. That appeared to him to be the only equitable course, and it was one that was likely to be adopted in Ireland. When the Amendment was previously before the House, the Prime Minister said that it was of vital importance that

there should be a uniformity of Commercial Law throughout the Three Kingdoms. It would, perhaps, be uniform for the higher classes of commerce; but for the working classes there was to be no protection. It was not to be the same for them, and that was a grievance which they in Lancashire felt very keenly indeed. The inequality was one which should not exist, and he hoped it would be removed. The right hon. Gentleman argued the matter as if it were purely a local one. They said it was not purely local; so far from that, it were very largely an International matter. Surely, then, it was a matter that affected the United Kingdom! He was not going to touch upon the representation of this country at any International Conference of Labour; but he could say that a very strong feeling existed among the operatives of Lancashire at this moment. Those operatives had two objects before them—(1) to get higher wages; (2) to get shorter hours. As long as long hours of labour existed on the Continent it would be difficult for English trade to increase, and, therefore, difficult for the operatives to obtain the objects they had in view. What, then, would they say at having rivals in Ireland able to use those long hours of labour in the same way as they were being used in Continental countries? Not only would they have a rivalry set up in Ireland, but they would have a bad example shown to the Continent in respect of the shortening of hours of labour. He repeated, it was a local matter; it was a matter affecting English operatives, and they were not now likely to consider the proposal favourably when they reflected upon the circumstances under which it was foisted upon them. They would suffer very keenly, because they would have to contribute a vast sum to Ireland, while the legislation in regard to the Customs would affect them materially; and, again, they would have no voice whatever in regard to Irish factory hours, although 80 Irish Members would be sent to Westminster with a voice in the making of Labour Laws for England. A system of this character was an injustice to the British operatives, and yet the right hon. Gentleman would tell them that it was entirely a local matter! That being so, he thought the question was worthy of re-consideration. It was one,

*Mr. Hanbury*

as he had said, upon which they felt very keenly, and, although the right hon. Gentleman might not feel any interest in it, it was their duty as the Representatives of these operatives to see that justice was done to them.

SIR F. S. POWELL (Wigan) said, he might be allowed as a native of Lancashire to say a few words upon this question. He would deprecate, in the most respectful language, the claim set up by certain hon. Members to represent the operatives and the labouring classes. They were all returned to Parliament by the same suffrage, and, therefore, they all represented, to a greater or less degree, the operatives and workpeople in their respective districts. As regarded the general question of factory labour, public opinion, as a whole, was, undoubtedly, sound; but he did not look upon public opinion as to factory hours as unanimous. On the contrary, he found that in Lancashire and in the industrial districts of Yorkshire there was a stronger feeling against the present restriction of hours than was in accord either with his sentiments or his wishes. He was not going back to the Berlin Conference to draw any inferences from what then took place. But he would point out that the Lancashire operatives, looking across the water, found that longer hours existed on the Continent, and they regarded with great jealousy the manufacturers who took their capital from England and invested it in Saxony, France, or Germany. The operatives could not see without jealousy that those who competed with them worked longer hours, and that their powers of production were superior. He was speaking now from the point of view of the operative. At the Berlin Conference England was greatly in advance of foreign nations. Since that time a Factory Act had been passed of a wholesome character, and the right hon. Member for Bury (Sir H. James) had a Bill in hand on the subject. But, although there might have been some advance on the Continent the disparity still continued, and he did not, himself, believe that the time was near when there would be equality of conditions of labour in this country as distinguished from the Continent. In India the workpeople were employed for longer hours, and he could tell



them that there was a strong feeling upon that point in Lancashire. He found from documents and from inquiry that relaxation did a great deal to weaken and impair factory legislation. That was principally the case in Switzerland, as could be ascertained from the documents connected with the Berlin Conference. This was a point that affected them. The English operatives felt alarmed lest the Irish Legislature should fall back upon what was done in these other countries. A question arose in the mind of the English operative that this was as likely to occur in Ireland as in any other country. Then there was the question of the sanitary condition of factories. He would not object to this question being entrusted to an Irish Legislature; but that he felt great doubt that, even if the Irish Legislature maintained the law as it was in this country, there would be a laxity of administration, and the sanitary condition of factories in Ireland would become greatly inferior to the condition of the Yorkshire and Lancashire factories. He feared that if the framing and administration of the law on this subject were left to the Irish Parliament and Executive, there would be a falling off in the condition of the Irish operatives, and that the less prosperous of them might take refuge in England. This might lead to great jealousy and a recurrence of the severe, painful, and demoralising conflicts which took place years ago. He remembered those conflicts which took place in his earlier days in the Counties of Lancashire and Yorkshire, and he hoped that they would do nothing which would bring about the return of such feelings as were then excited.

\*MR. MICHAEL AUSTIN (Limerick, W.) said, the right hon. Gentleman (Sir J. Gorst) seemed to have a great distrust of the Irish Legislature; he was not willing that it should have any power at all. In that he carried out the view of his colleagues. But if they looked at this question as affecting the interests of this country, surely they would see that no Party had been more ardent supporters of legislation relating to the interests of the English working classes than the Irish Party. No one would venture to deny that they had spoken and voted in favour of every Act of the kind that had

been proposed. Therefore, the suggestion that the Irish Legislature would pass laws to extend the hours of labour was absurd and ridiculous. It was said that Ulster was contented with the present system. Why, there was no part of Ireland to which it was more necessary to have some attention paid in regard to this question. In Belfast the state of things was not satisfactory. As a Member of the Royal Commission on Labour, he was aware of the facts that had been laid before that Commission on the question of wages and the hours of work in Belfast. The wages there, as a result of the system that was adopted, were lower than in England and Scotland. It was said by the Member for Preston (Mr. Hanbury) that a crushing blow would be dealt to English industry if this question were handed over to an Irish Legislature. He could say, as an Irish Representative of labour, that he was intimately acquainted with the cotton factory operatives of Lancashire, and in every district with which he was acquainted they hoped that this question would be left to the Irish Legislature. ["Oh, oh!"] The Member for Preston said, "Oh, oh!" but he had not come into contact with the operatives as closely as he (Mr. Austin) had. The Secretary of the Cotton Operatives Organisation (Mr. Mawdsley) would testify to the truth of what he had said. English workers need have no fear that their fellow-workers would be crushed by the Irish Legislature. As he had said, the Irish Members had in this House always spoken and voted in favour of any action or movement that tended to lift the English workers up, and they would act in a similar way towards the workers in their own country. The same laws that prevailed in England would prevail in Ireland. There would be no attempt to reverse those laws; on the contrary, the Irish Legislature would co-operate with them in promoting the interests, which were identical, of the workers of Ireland and Great Britain.

\*SIR H. JAMES (Bury, Lancashire): As a Member for a Lancashire constituency, I should be content to leave the statement of the case by hon. Gentlemen opposite where it is; but my attention is attracted to the words addressed

to the House by the hon. Member for Limerick (Mr. M. Austin). In the last four years I have been in pretty constant communication with the Textile Factory operatives, especially within my own constituency. I also am intimately acquainted with Mr. Mawdsley, and I do not believe that either the operatives of Lancashire or Mr. Mawdsley would be willing to leave to the Irish Legislature the power of giving preferential hours of labour. Well, Sir, I do not much fear giving power to the Irish Legislature to deal with the machinery or the sanitary condition of factories. I think they should have that power. But I object to power being given to impose preferential conditions—I object to that being given to one part of the United Kingdom, irrespective of other parts. The operatives themselves have cheerfully accepted a limitation of their hours of labour, but they have never accepted the view that that limitation should exist in one factory and not in another. And what is the difference where the line of limitation is to be between England and Ireland or between Lancashire and Yorkshire? The capital employed in one or other of the counties, if you take Lancashire and Yorkshire, would have a great and predominant power of competition, so that the labourer might be paid higher wages than in the other county, where the operative would be placed at an undue disadvantage. If that is what would be the case as between Lancashire and Yorkshire, what would be the effect upon competition between England and Ireland? I should like to hear what hon. Members from these counties who sit behind the Government have to say upon this question. Meanwhile, I would ask the Chief Secretary whether, if the Amendment were modified, and if it were simply stated in the Bill that there should be no interference with the hours of labour affecting competition with the United Kingdom, would the Government consent to that? Or is it to be taken as the intention of the Government that the Irish Government should have the power of maintaining free trade in hours of labour, whilst restrictions are maintained in England? This is not a matter of prejudice. It is a matter of fair practical business. Do the Government intend to give the Irish Legislature the power of

making Ireland a favoured nation and a place of favoured competition, or do they wish that the hours of labour, which means competition, to be on terms of equality? This is an Imperial question—a general question, at any rate. Working men throughout the United Kingdom ought to be on terms of equality. That is all we ask. It cannot be an insult to the Irish people to say that they shall not compete unfairly with English operatives. If I cannot induce the Government to accept this Amendment I will try and barter with them. I should be willing to give up the exclusion of the Irish Legislature to deal with trade marks and merchandise marks in exchange for the acceptance of this Amendment. I think I know what the Lancashire people will feel upon this subject, and I believe that the views I have expressed to the House are those entertained by the Lancashire operatives, who will, I fancy, strongly object to any unfair competition that may be invoked. As the matter seems to interest the hon. Member for Shipley, I would say that there is not likely to be any competition between Bradford and Ireland such as there will be between Lancashire and Ireland.

\*MR. BYLES (York, W.R., Shipley) said, he rose in response to the right hon. Gentleman (Sir H. James), who, speaking on behalf of the Lancashire operatives, told the House that if the Yorkshire operatives were permitted to work for 74 hours per week, while the operatives in Lancashire were restricted to 54 hours, the latter would feel that they had a great grievance. Speaking for the Yorkshire end of the stick, he (Mr. Byles) replied that if the Yorkshiremen did manage to gain a limitation of their hours to 54 per week they would not envy their neighbours in Lancashire who were to work 74 hours. He listened with some attention to the speeches of the hon. Member for Preston (Mr. Hanbury) and the hon. Baronet (Sir F. Powell), in the hope of discovering whether they were really speaking for the operatives in the manufacturing part of Lancashire, or in the interests of the manufacturers themselves, and he was unable to believe that they really had the interests of the operatives at heart. Throughout the whole of the Debate there had been an assumption

— *Sir H. James*

that if the question of hours in factories was left to an Irish Parliament, in all probability the hours would be extended. He did not see why such an assumption should be made, and he suggested that it was equally fair, and far more reasonable, to assume that an Irish Parliament would shorten the hours of labour. If an Irish Parliament were to differentiate in the matter of hours as regarded this country and Ireland, the difference was likely to be more beneficial to workmen in Ireland, in respect both of hours and conditions of labour. One of the advantages which he was looking for from the formation of an Irish Parliament was that they would have what Lord Rosebery called "experimental legislation." He had no doubt that there would be some valuable experimental legislation in regard to landlords, and he was looking forward to some valuable experiments in regard to factories. In this country there was a strong agitation going on in favour of an eight hours' day; but he supposed that no one who had any experience of the slow growth of social questions in this country before they ripened into legislation would look forward to the attainment of that Utopia to working men without believing that a long time must elapse before it was attained. But in Ireland it was perfectly possible that, with a small country, a small population, and a small Parliament, an experiment of the kind might be tried in a very short time, and it would be a valuable experience for Great Britain to watch and see if it would be wise or unwise to adopt a similar policy here. He would make only one other general observation. They had been engaged for many months in trying to pass this Home Rule Bill, and they had decided to give certain powers to the proposed Irish Parliament. Every Amendment—and this like the rest—was directed to take away piecemeal those powers. For that reason, as well as for those which he had previously stated, he intended to oppose the Amendment. The Home Rule that they were to give to Ireland was of a restricted and moderate kind, and they ought not to begin to whittle away by Amendments of this kind every power which they had entrusted to an Irish Parliament.

MR. WOLFF (Belfast, E.) said, that as one connected with the manufacturers in the North of Ireland, he desired to say a few words on the Amendment. A great deal had been said as to the tendency of an Irish Parliament to lengthen the hours of labour, so as to put English manufacturers at a disadvantage in the competition. If he thought that would be the case, and that the result would be to make goods cheaper, he should be the last man to oppose such an Amendment. But he did not think that anything of the sort was likely to take place. So far as the skilled trades of the country were concerned, such as engineers, joiners, and all men connected with the shipbuilding trade, all the men who were worth having belonged to Trade Unions, which embraced all parts of the United Kingdom, and were too powerful to be overridden by an Irish Legislature. Of course, there remained a large number of operatives engaged in the textile trades: but he did not think that even they were at all likely to come into competition with those of England. There was little linen manufacture in Scotland, and none in England. The competitors with Ireland were on the Continent; and the Irish Legislature was not likely to try to compete with them, at all events, by increasing the hours of labour. The Irish Legislature would be largely returned by agriculturists, who would have little to do with manufactures, and who would be likely to favour short hours and high wages irrespective of the interests of manufacturers. An hon. Member opposite said that if the Irish Legislature did interfere with the conditions of labour, it would prove a valuable experiment for England. Well, England was going to do a great deal for Ireland by granting Home Rule; but Ireland was not likely to return the compliment by making experiments at her own cost for the benefit of England. The hon. Member for Limerick (Mr. M. Austin) had spoken of the condition of the working classes in Belfast, declaring that they received low wages. But the condition of the working classes should not be gauged by the amount of money paid to them at the end of the week. The cost of living, the cost of land, and

the general condition of the community had to be considered; and, taking these circumstances into view, he believed the people in the North of Ireland were as well off as they were in Lancashire. Wages, after all, were merely a question of supply and demand for the manufactured goods. But in spite of all this he intended to vote for the Amendment. There ought to be no difference in any legislation relating either to manufacturing or commercial matters generally between Great Britain and Ireland. The United Kingdom was not so very large that it could be divided into districts with different laws for each district. There were differences, no doubt, between England and Ireland; but that was a matter to be regretted, and they should try to avoid increasing the evil in this Bill. It was proposed that the Irish people should have 80 Representatives in that House, and they would, therefore, have a voice in any legislation on those subjects. As he was afraid that legislation on questions affecting manufactures by people who were not familiar with such legislation would be more likely to do harm than good, and as he was most anxious that the laws of the Three Kingdoms in reference to those matters should be as far as possible uniform, he would support the Amendment.

MR. OLDROYD (Dewsbury) said, that the right hon. Gentleman the Member for Bury (Sir H. James) had spoken on this matter as representing the operatives of Lancashire. It seemed rather strange that in this matter the cotton operatives of Lancashire should have such extreme fears of competition on the part of Irishmen, for the cotton trade was one in regard to which Ireland, at the present moment, did not compete with England at all. That trade did not exist in Ireland, and it would have to undergo all the vicissitudes and expense of establishing itself before it could compete with the operatives of Lancashire. He now desired to say a few words with reference to the woollen industry. As regarded that industry, there was considerable competition between the North of England and Ireland, and though it was increasing he did not say it was very formidable. During the last few years very consider-

able advances had been made, both in respect of the amount of woollen fabrics produced in Ireland and the quality of the workmanship. But he did not entertain any fears from a limitation of the hours in Ireland. He and those interested in the woollen industry believed that the present hours were long enough, not only for the operatives personally, but for the real and effective power of the industry concerned. As regarded the cotton industry, and the opinion expressed on behalf of the operatives of Bury, he might say that, although this matter had been before the House in Committee, he had not received any communication from a single member of his constituency expressing any fear on the subject whatever; and he did not believe there was the slightest apprehension that any evil could possibly arise from legislation as to the hours of labour which might be enacted by an Irish Parliament.

SIR A. ROLLIT (Islington, S.) said, the right hon. Member for Bury (Sir H. James) had made a generous offer on behalf of his constituents which he (Sir A. Rollit) did not think he would find many other Members ready to make. As a Yorkshireman, and as also representing a Metropolitan constituency—London being the great distributing centre—he should be very sorry, and the London Chamber of Commerce also would be indisposed, to sacrifice our trade-mark arrangements and merchandise marks for any advantage that might accrue from the present or any other proposal. He did not know anything which more tended to illustrate the advantage of uniformity than our legislation with regard to trade-marks. They had the effect of binding all parts of the Empire together, and of inducing a very large amount of that national action and protection which otherwise would be hardly possible, and he ventured to say that that very example should be one of the chief inducements to hon. Members to support the Amendment. The whole tendency of the times in commercial matters was towards more uniformity than had existed in the past. For his own part, he thought that uniformity in reference to the Labour Laws should, from a commercial point of view, have the approval of the House. Of course, he spoke of uniformity in countries

*Mr. Wolff*



where the conditions were similar. He granted that in the case of India there might be room for difference of opinion; but that did not exist in regard to England and Ireland, there being no variations in practice. He had been surprised to hear from the hon. Member for Wigan (Sir F. S. Powell) some aspersions on Irish manufacturers; but he was able to say from his own experience that there were in Donegal factories which, as regarded the health of their inmates, the methods and processes employed, and the general conduct of their business, would compare favourably with many institutions of a similar character in this country. He did not distrust the Irish Legislature in dealing with those matters; but he was bound to remember when Ireland had a Legislature of her own an attempt was made by bounties and rebates and the like to attack the industries of this country in order to support those of Ireland. He could conceive nothing more fatal to the commercial future of Ireland than the repetition of anything of that kind. It was most important that in economical matters regulating trades and industries the action of the Legislature should be as far as possible uniform, and that that uniformity should be maintained. It was said that if the Amendment were carried the operatives of this country and of Ireland would be liable to suffer; but he did not think that the operatives would be dependent on the Parliament of either the one country or the other. For his own part, he believed that the Trades Unions exercised the chief influence in the matter. The hon. Member for Shipley said that experiments as to the working of the new economic system might be tried; but he failed to see why Ireland should be the *corpus vile* for the experiments of this country. Those who spoke of an eight hours day as a working man's Utopia which was not likely to come about did not rightly read the signs of the times, having regard to what had taken place at the Berlin Conference. Legislation on that question was not at all unlikely. As he believed that the commercial interests of the two countries were joint he should support the Amendment.

MR. TOMLINSON (Preston) said, they could wish for nothing better to go to their constituents with than the statement of the Chief Secretary that it was the intention of the Government to give the Irish Legislature power to deal with factory legislation as they thought fit. He believed that when this matter was put before the constituencies, particularly of Lancashire, the Opposition would have all the operatives and workers on their side.

MR. J. CHAMBERLAIN: This raises a matter in which my constituents are greatly interested, as there is a considerable trade between Birmingham and Ireland. I would point out that this raises a different class of consideration to that which has been raised by other Amendments. In previous Amendments we have desired to protect ourselves against possible abuse by the Irish Parliament. That is not the case here. It is not a case of abuse of the powers which might be conferred on the Irish Legislature; but the object of the Amendment is to insure uniformity in legislation with respect to matters in which uniformity is specially desirable. I cannot understand why the Government should not be consistent in this matter. They have, yielding, I believe, to pressure from the Opposition, agreed to include merchant shipping in the restrictions which they have made on the Irish Legislature. Why, therefore, should there be no uniformity? Why should they exclude merchant shipping and include factory legislation? The two things stand on the same footing. As regards the feeling which exists among the working people of Birmingham in this matter, I can say they have two fears in respect of it. The first is that it may be possible for the Irish Legislature, in order to stimulate a particular trade or industry, to repeal some restriction which has been imposed upon trade of this country in order to enable it to be carried on in Ireland. Another objection is that we are not dealing only with legislation as it exists at present, but with possible future legislation. Whenever working people come to this House and ask for legislation in any way restricting the action of their employers, they are always

told—"Take care what you are doing, because you will be at a disadvantage with regard to foreign competition." But in future this addition would be made—"Take care that you do not put yourselves at a disadvantage with regard to the competition from Ireland, because there is no certainty that this legislation which you are seeking to promote in England will be followed by the Irish Legislature." That argument will be used with great force against any proposal by the working people of this country for any fresh factory legislation; and it is upon that ground, as well as upon the ground of fear of what may happen in regard to existing legislation, that my constituents, and, at any rate, the working men with whom I have had the opportunity of talking on the subject, object very strongly to having two sets of factory legislation in the United Kingdom. I appeal to the Prime Minister, if he will not accept the Amendment, at all events to justify the anomaly of refusing to give the Irish Legislature the power of dealing with merchant shipping or factories at sea, whilst he gives it the power of dealing with factories on land.

MR. A. J. BALFOUR: I do not know whether the right hon. Gentleman opposite proposes to respond to the appeal which my right hon. Friend has just made before the Debate closes. As he did not rise, I availed myself of the opportunity of making the few observations that I think it necessary to lay before the House on the present occasion. The Chief Secretary has accused the right hon. Member who moved the Amendment of repeating arguments that were employed on a previous occasion. I cannot make a retort on the Government, because I cannot find out that on a previous occasion they used any arguments at all. I gathered from the tone of the Chief Secretary's speech that this question had been thoroughly threshed out in Committee; that the Government had replied to all the arguments; and that it was unnecessary for them to meet again a case which they had met so effectually on a previous occasion. Well, Sir, my memory is not very good in this matter; but I taxed myself in vain to find any record of the wonderful arguments used by the Government in Com-

mittee. The only speech delivered by a Member of the Government was a speech by the President of the Board of Trade, which did not fill a column in *Hansard*. As a matter of fact, the Government have not, either in Committee nor on the present occasion, faced the problem, or even touched the fringe of the question raised. That alone would afford ample justification for the raising of this question again, even though it appears we are not to be more successful than we were in June in extracting from the Government an adequate reply. It is evident that the Government think silence the most judicious policy, and, from their point of view, I am not sure that they are not right. I cannot deal in these few remarks with the Government case, because I am in ignorance of what it is. I can make some observations on what I have heard from various Members in the course of the Debate. The Chief Secretary argued that we cannot consistently vote for this Amendment, because we supported the Amendment of the hon. and learned Member for Harrow (Mr. Ambrose), which purported to give to Ireland the management of her own affairs in certain branches of Departmental administration. The right hon. Gentleman never looked at the Amendment, for he completely overlooked the fact that the hon. and learned Member for Harrow deliberately excluded from his Amendment the Home Secretary's functions, and it is the Home Secretary who is alone charged with the particular administrative duties which we are dealing with in the Amendment. Whatever value there might have been in the *tu quoque*, had it been well-founded, there is, as a matter of fact, no foundation at all for it. At present the Home Secretary is supreme in regard to all inspection in England, Scotland, and Ireland. The inspection of factories and workshops in Ireland does not come under the survey of the Chief Secretary. He has nothing to do with it; he does not appoint the Inspectors, and it is not to him that the Reports are addressed. When you pass this Bill, if you pass it without this Amendment, and without the consequent changes the Amendment would require, you take away from the Home Secretary the whole regulations respecting factories and workshops, and you throw the

*Mr. J. Chamberlain*

responsibility, and, what is more, the cost upon the new Irish Legislature. I want to know what hope there is that that Legislature will operate effectively the very costly machinery we have devised for looking after factories and workshops? It has been mentioned by some gentlemen in this Debate that the Legislature in Ireland would represent a purely agricultural constituency, and would not be interested in manufacturing questions. The number of the manufacturing population is comparatively trifling in proportion to the whole population, and of this fraction of the population a very small proportion are in harmony with the political opinions of the majority. I think it is, under the circumstances, a perfectly vain hope for us to entertain that under the new Irish Legislature the existing and most costly system of inspection of factories and workshops can be continued, or that any proper system can be substituted for it. Several of my right hon. and hon. Friends have, speaking for the manufacturing districts they represent, stated that the utmost jealousy existed as to the course which might be taken by the Irish Legislature, or, what is still more important, which the Irish Legislature might abstain from taking. That was replied to, in the first place, by one of the Members for Belfast, who said he thought questions of wages and laws were not really settled by legislation in the trade with which he was acquainted, but entirely depended on the Trades Unions. I do not doubt at all that Trades Unions have a very great, and, I dare say, extremely beneficial power in Belfast, as in other towns; but they probably only affect wages over a very restricted area, especially as my hon. Friend says wages are lower in Belfast than in parts of England and Scotland.

MR. WOLFF said, his remarks about Trades Unions and length of hours had applied to skilled trades. The trades in which wages were lower were unskilled trades.

MR. A. J. BALFOUR: That was the interpretation I was disposed to put on what my hon. Friend said. Therefore, we have it on my hon. Friend's own authority that, as a matter of fact, the Trades Unions cannot be relied upon to produce uniformity. The hon. Member for

Dewsbury (Mr. Oldroyd) said that Ireland was competing with him in the woollen trade, but that he was not afraid of Ireland, and did not desire to maintain uniformity, as he did not think that any disparity of condition between England and Ireland would inflict any injury whatever on the trade he represents.

MR. OLDROYD was understood to say that he did not refer to the future, but to the present state of things.

MR. A. J. BALFOUR: I do not say that wages are the same, or that hours are the same, in Great Britain and Ireland; but I do say that factory legislation is the same, and I say that, in so far as factory legislation of whatever kind operates as one of the conditions of production, making it more less costly, you undoubtedly may have differences introduced which could not be introduced under your present system. It has been said it is an error to suppose that short hours mean defective production, and that it would not pay the Irish Legislature to permit an increase of the hours of their workmen, because no commercial or manufacturing advantage would thereby accrue to Irish productions. I must firmly hold the faith that the shortening of the hours of labour in very many instances has not only not diminished the effectiveness of capital and labour, but has actually augmented the effectiveness of both. But I think it would be an extravagant conclusion to draw from that general doctrine that no restriction that might be made would, to some extent, hamper the capitalist and merchant. I think it quite possible that some restrictions in the hours of labour ought and probably would be made; but if such restrictions are made they ought to apply equally to the Three Kingdoms, and not to England and Scotland only, to the exclusion of Ireland. The contention of the Government is that the Irish Legislature would never attempt to repeal the existing factory legislation, or to do any thing to injure the English workmen. I grant that; but I ask whether it is probable that the restrictions which we in this country think desirable would be extended to Ireland? The Irish farmers would say to themselves—"Our industries are infant industries—industries of tender years, delicate and somewhat

sickly—and if we apply these robust remedies to them, we shall kill them, instead of curing them.” That being so, the 80 Representatives of Ireland would vote in favour of the restriction of the hours of labour in this country, and would abstain from carrying out that principle in Ireland. I think that the Government have made a double mistake in this matter. They have made the mistake of not answering the questions that have been put to them on this subject, and the mistake of framing the Bill as they have done. I believe there is no part of the Bill that will be better understood by the British workmen than the portion of it that is now under discussion. As to the workmen of this country being satisfied with the argument put into the mouth of the Chief Secretary, and with the assurance that the Irish Members have always shown themselves sympathetic with the claims of labour, I say that the workmen of Great Britain are not so idiotic as not to be able to perceive that when those Members have to deal in Ireland with their own affairs their sympathy will be with the Irish, and not with the English industries, and that may lead to very different results. I think it would be in vain to ask the Government to throw any further light on the question; and I will, therefore, conclude by saying that I shall undoubtedly vote for the Amendment.

MR. JESSE COLLINGS (Birmingham, Bordesley) said, that since this question had been before the Committee he had spoken to many working men and representatives of Trade Unions both in England and in Belfast, and he had found that English working men would scarcely believe that they were to be subjected to such legislation as might be imposed upon them with the assistance of the Irish Members in the Imperial Parliament, whilst a different kind of legislation altogether might be adopted by the Irish Legislature for the working classes of Ireland. When they had asked for the reasons for such a state of things, he and others had been obliged to say that the Government had given no reasons. That answer must continue to be given, unless some Member of the Government would now get up and defend the proposal of the Bill. The hon. Member for East Belfast (Mr.

Wolff) had said that the Trades Unions in Ireland were all powerful to settle these matters; but he would remind the hon. Member that Trades Unionists in Ireland were only powerful to the extent to which they co-operated with the Trades Unionists of Great Britain. If this Bill passed and the Irish Unionists were left to their own resources, they would be positively an insignificant Body when opposed to the great voting power of the rest of Ireland. He was anxious to see how the Representatives of labour were going to vote on that Division, because if the Bill were allowed to stand as it was it would amount to a virtual abandonment by British Trades Unionists of the Trades Unionists of Ireland. He had been told by men who stood high in the Trades Unions in Belfast that if they were once forsaken by the Trades Unionists of Great Britain they would have no power whatever, but would be subjected to any kind of regulation which the Irish Parliament chose to impose upon them. Two questions were involved in this Amendment; one was the welfare of the British operatives, and the other the welfare of the Irish operatives. The only defence of this part of the Bill in Committee was given by the President of the Board of Trade (Mr. Mundella), who said that the reason why the woollen trade was making way in Ireland was that wages were so low in that country. If, however, in addition to the difference in the wages, hours were made longer in Ireland than in England, or the restrictions with regard to women's and children's labour were done away with, or the expensive restrictions now put upon manufacturers abolished, these things would represent a good deal more than a difference of a few shillings a week in wages. Those who voted against the Amendment would vote against the best interests of the British workmen and against the best interests of the Irish operatives as far as health and convenience went. This was a question that was more largely talked about in the British constituencies than the Government seemed to think, and people would not believe that such a difference in legislation was really intended. It would take the vote that was about to be given to convince the British workman that the Govern-

*Mr. A. J. Balfour*



ment was forcing upon them the great injustice contemplated by the Bill.

Question put.

The House divided :—Ayes 144 ; Noes 189.—(Division List, No. 269.)

MR. COURTNEY (Cornwall, Bodmin) said, he wished to secure the omission, from line 16, of the words "or quarantine," his object being to leave this subject in the power of the Irish Legislature. He did not think it necessary to speak upon it at any length ; but he would point out that quarantine largely depended on local circumstances, and there was no necessity for uniform regulations throughout the United Kingdom. This was, therefore, a subject which might reasonably be left to the Irish Legislature to deal with.

Amendment proposed, in page 2, line 16, to leave out the words "or quarantine."—(*Mr. Courtney.*)

Question proposed, "That the words 'or quarantine' stand part of the Bill."

MR. J. MORLEY : I do not quite understand my right hon. Friend's motive in moving this Amendment. The word "quarantine" is a somewhat ambiguous phrase. It might mean the execution by Customs officers of certain regulations as to cholera, yellow fever, and other diseases coming from foreign countries, or it might mean, in a looser sense, the regulations made and executed by the Local Authority as to other diseases under its ordinary sanitary powers. The Government do not intend to exclude from Irish legislation sanitary regulations made by Sanitary Authorities ; but they are bound, from their conception of the position of Ireland in relation to foreign countries, to adhere to the exclusion of "quarantine" in its true sense from the legislative power of the Irish Government.

MR. COURTNEY : Why ?

MR. J. MORLEY : Because those regulations affect other countries as well as Ireland ; and, as they may have to be applied to foreigners and foreign ships, it is not right that the dealing with them should be left to the Irish Legislature.

\*SIR C. W. DILKE (Gloucester, Forest of Dean) said, the law of quarantine must be looked upon as virtually extinct in this country ; and it would be a

mistake to spend much time in discussing the question, as some years ago it was decided that in future quarantine should not be enforced in this country as regarded cholera. It still remained, as regarded yellow fever, under the Privy Council, which had no staff for the execution of its powers, and the Local Government Board had control over all the arrangements at ports with regard to the importation of cholera and every other disease. In Ireland the Irish Local Government Board had similar powers. In this matter we were not bound by any engagements with Foreign Powers, and really the whole subject was one of antiquarian interest only.

MR. GIBSON BOWLES (Lynn Regis) said, the right hon. Baronet was mistaken in asserting that the quarantine law was practically extinct ; so far from it being so in this country, there was a Vote of £1,500 on the Estimates this year for the maintenance of the quarantine station at the Motherbank. He was no friend of quarantine ; he believed it did more harm than good ; but if harm was to be done let it be done by all means by the Irish Government, and not by the Imperial Parliament. He sympathised with the Amendment on those grounds, and would, therefore, vote for it. He strongly objected to the policy of the Government in throwing upon the ports the expense of taking precautions against the importation of cholera. His own constituency had been put to a very considerable expenditure on account of quarantine directed against foreign vessels, and much injustice was done, as the Central Government sent down an Inspector to tell the Local Authority what to do, and afforded it no pecuniary assistance at all. Seeing that this was really an Imperial and not a local matter, the burden should fall on the country at large. But so long as the Government insisted on treating this as a local matter by making local ports pay all the expense, they had no right to prevent the Irish Parliament having control over it.

\*SIR J. FERGUSSON (Manchester, N.E.) : The right hon. Gentleman the Member for the Forest of Dean (Sir C. W. Dilke) is mistaken in supposing that quarantine is inoperative in this country, because I remember perfectly well that two or three years ago I attended a

meeting of the Privy Council, at which an Order was passed consigning to quarantine the passengers and crew of a ship just arrived from the West Indies.

SIR C. W. DILKE: Yes; that was a case of yellow fever.

\*SIR J. FERGUSSON: The question is whether the Irish Parliament shall have power to frame quarantine laws and regulations different from those in force in other parts of the United Kingdom, and to adopt a system of quarantine such as obtains in Spain and other countries, thereby causing considerable inconvenience to the people of this country, or to neglect rules that we consider necessary. I think the House should pause before adopting the proposal of the right hon. Gentleman the Member for Bodmin.

Question put, and agreed to.

Amendment proposed, in page 2, line 20, after "1854," to insert the words "and the Acts amending the same."—(*Mr. J. Morley.*)

Amendment agreed to.

MR. VICARY GIBBS (Herts, St. Albans) said, he had to move an Amendment substituting the word "currency" for "legal tender," in the list of subjects which the Irish Legislature were precluded from dealing with. He admitted that the subject was fully discussed in Committee. But on that occasion the Chancellor of the Exchequer, while unable to accept the Amendment, promised to consider if any further safeguard were necessary. He now asked what was the result of the right hon. Gentleman's consideration. He was surprised at the absence of the right hon. Gentleman at a moment when a question of such importance to the commercial classes was about to be discussed. As the clause now stood, it would be in the power of the Irish Government to issue paper currency to any extent they might think proper. The principal currency in Ireland at the present time was a paper currency; the banks were allowed by law to issue notes to a certain extent secured by their own reserves, and beyond a certain limit they were required to keep gold in their cellars as against the notes. But the Irish Government might think fit to stop that currency, and there was nothing in

*Sir J. Fergusson*

the Bill to prevent them doing so. Then the question would arise as to what currency should be substituted for it, and the Bill would enable the Government to issue a paper currency without any security at all.

It being half-past Five of the clock, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

#### SHOP HOURS ACT (1892) AMENDMENT (No. 2) BILL.—(No. 333.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

#### RIGHTS OF WAY (SCOTLAND) BILL. (No. 152.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### LUNACY (IRELAND).

Copy presented,—of Forty-second Report of the Inspectors, with Appendices [by Command]; to lie upon the Table.

#### CIVIL SERVICE COMMISSION.

Copy presented,—of Thirty-seventh Report of the Commissioners, with Appendix [by Command]; to lie upon the Table.

#### BRITISH MUSEUM.

Return presented,—relative thereto [ordered 13th April; *Sir John Lubbock*]; to lie upon the Table, and to be printed. [No. 375.]

#### MUNICIPAL CORPORATIONS (NEW CHARTERS) BRIGHOUSE.

Copy presented,—of Charter of Incorporation of the Borough of Brighouse [by Act]; to lie upon the Table.

House adjourned at twenty-five minutes before Six o'clock.







HOUSE OF COMMONS,

*Thursday, 17th August 1893.*

QUESTIONS.

INDIAN CIVIL ENGINEERS' FURLOUGH ALLOWANCES.

SIR G. CHESNEY (Oxford) : I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that the civil engineers serving under the Indian Government who entered Cooper's Hill in 1875 receive their furlough allowances at the official rate of exchange, whereas those of previous years receive theirs in sterling ; whether he is aware that in the autumn of 1874 a prospectus giving particulars of the entrance examination to be held in 1875 for admission to Cooper's Hill, with an appendix thereto giving particulars regarding the regulations then in force for the Public Works Department as to leave, pensions, &c., was issued in the official Cooper's Hill Calendar, published under the authority of the Secretary of State ; whether his attention has been called to the particulars and regulations regarding furlough allowances given in the appendix to this prospectus taken from Sections 10 and 11 of the Civil Leave Code, which provides that officers on furlough are entitled to be paid their furlough allowances at the Home Treasury of the Government of India in sterling ; and also to a subsequent prospectus for the year 1875, which was issued from the India Office, the appendix to which contained in addition to Sections 10 and 11 of chap. iii. of the Civil Leave Code, Section 26 of chap. x. of the Code which provides that furlough allowances paid at the Home Treasury shall be paid at the official rate of exchange, and whether any warning of the addition of this condition was given to candidates for examination ; whether, since Sections 10 and 11 of chap. iii. of the Civil Leave Code contain the only regulations as to payment of furlough allowances at the Home Treasury inserted in any prospectus published prior to the second prospectus of 1875, it is upon that

ground that the civil engineers who joined the Public Works Department through Cooper's Hill prior to 1875 are paid their furlough allowances in sterling ; whether the Secretary of State has received complaints from engineers who entered Cooper's Hill in 1875 that they were misled by the prospectus published in the Cooper's Hill Calendar ; and whether he is prepared to sanction their furlough being now paid at the Home Treasury in sterling ?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.) : 1. All Indian civil engineers receive their furlough allowances in sterling ; but those who entered the Indian Civil Engineering College before 1875 have their allowances converted into sterling at 2s. to the rupee, while those who entered in 1875 and subsequent years receive theirs at the official rate for the year. 2. Yes ; but the Calendar is not a work supplied officially to candidates. 3. Yes ; the Secretary of State's attention has been called to those regulations. The appendix, as published in the Calendar, said that the officers, when on ordinary furlough, would receive a leave allowance equal to half their average salary, the maximum being £200 a quarter ; and, when on other than ordinary, £120 a quarter, or one-fourth of average salary, whichever was the less. The prospectus for 1875 issued from the India Office said further that, if payment was taken at the Home Treasury, leave allowances would be converted into sterling at the rate of exchange annually fixed. There is no reason to doubt that this prospectus was given to everybody who made inquiries at the India Office about the examination for 1875. 4. Civil engineers who joined the College before the prospectus of 1875 was issued are allowed to have their furlough pay at the rate of 2s. the rupee, because the Secretary of State was advised that their having paid the College fees and passed the examination had given them a legal right thereto. 5. Yes. 6. Not at 2s. the rupee.

CARRIAGE RATES FOR GRAINS ON THE GREAT WESTERN RAILWAY.

MR. COBB (Warwick, S.E., Rugby) : I beg to ask the President of the Board of Trade whether he is aware that the

Great Western Railway Company charge a rate of 6s. 10d. per ton, for brewers' and distillers' grain from Burton-on-Trent to Solihull, and that for the same goods from Burton-on-Trent to Marston Green, which is about the same distance, the London and North Western Railway Company charge a rate of only 4s. 1d. per ton; whether he is aware that the tenant farmers in the neighbourhood of Solihull are much hampered by this action of the Great Western Railway Company; and whether he will ask the Great Western Railway Company for an explanation as to this large difference; and if they are prepared to reduce their rate to the same amount as that of the London and North Western Railway Company?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): I am informed that the facts are not as stated in the question. The Great Western Railway do not go to Burton-on-Trent. Inquiries have been made, and it is shown that no brewers' or distillers' grains have passed from Burton to Solihull either this year or last. The Great Western Company, however, assure me that if any trader wishing to send such traffic will communicate with them, they will try to arrange with the other Companies interested a fair through rate.

#### POST LETTERS BY RAILWAY.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Postmaster General why the conveyance of single post letters by railway is limited to letters not exceeding one ounce in weight; and whether the system can be extended to letters of any weight if prepaid at the letter rate?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): The present arrangement limited to letters not exceeding one ounce in weight was adopted mainly on account of the objection of the Railway Companies to having to weigh letters at their stations; but for some little time past the question of extending the limit of weight has been under consideration, and I am in communication with the Railway Companies on the subject.

*Mr. Cobb*

#### CROYDON POSTAL SERVICE.

MR. S. HERBERT (Croydon): I beg to ask the Postmaster General whether he is aware that letters posted in London for Croydon after 4 p.m., and letters arriving in London from the Provinces and abroad (also addressed to Croydon) after 4 p.m., are not delivered in Croydon until the following morning; and whether he will arrange that in future a mail bag shall be sent by train after 6 p.m., so that letters can be delivered in Croydon from 8 p.m. to 9 p.m., as is done at Wimbledon, Bromley, and elsewhere?

MR. BARROW (Southwark, Bermondsey): Is the right hon. Gentleman aware that Croydon is a borough containing at least 105,000 inhabitants, a large number of whom are City, business, and professional men?

MR. A. MORLEY: I believe that that is so. It is not practicable to make a complete despatch to Croydon, for delivery the same evening, of all letters posted in London later than 4 p.m., without delaying the last delivery at Croydon until an unreasonably late hour. The town authorities having been consulted whether they would prefer the present last delivery (which commences at 6.30 p.m.) being postponed to a later hour in order to include a portion of the letters posted after 4 p.m. in London, have declined to entertain the proposal, as it would delay considerably more letters than would be accelerated. It is further considered by them that unless the whole of the letters posted in London up to 6 p.m. could be included in a later evening delivery the expense of such a delivery would be largely thrown away, and they state that the inhabitants generally are well content with the existing number of postal deliveries at Croydon. The circumstances at Wimbledon are different, as it is in the London Postal District, and the evening despatch to Bromley is not a complete one.

#### ORDNANCE SURVEY MAPS.

MR. H. HOBHOUSE (Somerset, E.): I beg to ask the President of the Board of Agriculture whether it has been found practicable to provide facilities for the inspection of Ordnance Survey Maps by persons desiring to refer to them;

and, if so, what are the arrangements which have been made?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden): We have recently made arrangements by which the latest issues of the Ordnance Survey maps on the 1-inch and 6-inch scales will be available for inspection by the public at the offices of the Board of Agriculture at 3, St. James's Square. Changes in the boundaries of boroughs, Local Government districts, and parishes, will be recorded on 6-inch maps, as soon as possible after they have been authorised, and a complete set of the index maps and indices of all Ordnance Survey maps and publications will be kept for reference. I trust that the provision of those facilities will be found of general public utility.

#### TITHE DISTRAINT AT NEWCASTLE EMLYN.

MR. REES - DAVIES (Pembroke-shire): I beg to ask the Secretary of State for the Home Department whether he is aware that, in a case recently tried before Judge Bishop in the County Court of Newcastle Emlyn, Cardiganshire, an important point of law was raised and adjudicated upon as to the right of a bailiff to effect an entrance into premises by climbing over fences in levying distraints for tithe, and that a fine of £5 was imposed upon the defendant, who has entered an appeal against the Judgment of the County Court Judge; whether he is aware that the Treasury has now taken up the case on appeal for the bailiff of the County Court, notwithstanding that a solicitor had been engaged and counsel instructed on the bailiff's behalf; whether he will state under whose authority these proceedings were taken; and whether he will take steps to prevent such action on the part of the Treasury in interfering with civil proceedings?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I had no knowledge of these proceedings until my attention was called to them by my hon. Friend's question. I am in communication with the Attorney General on the subject, and in the course of a few days I shall be able to make a further statement.

#### MIXED RAILWAY TRAINS.

MR. SEYMOUR KEAY (Elgin and Nairn): I beg to ask the President of the Board of Trade whether an Order has been issued under the Regulation of Railways Act, providing that in all mixed trains the goods waggons must be placed behind the passenger carriages; whether he is aware that railway officials declare that the working of a train thus composed is impracticable, and that an adherence to the Order would result in the entire or partial abandonment of the system of mixed trains; whether he is aware that particularly on the single lines in the Highlands of Scotland, the public are indebted to the system of mixed trains for a very large part of the facilities for travelling which they possess, and are very unwilling that these should be curtailed by the operation of the Order; whether it can be shown that the mixed train system, as hitherto worked, has resulted in an undue proportion of accidents on the Highland Railways as compared with that of purely passenger trains, and has this new Order been issued in consequence of complaints from the public in regard to the present system; and whether, having regard to the fact that nearly one-half of the whole existing train service on the Highland and other railways in Scotland is carried on by mixed trains, the Government will reconsider this important matter, with a view of withdrawing or modifying the Order, in the interests both of the railways and of the travelling public?

MR. MUNDELLA: The Board of Trade made an Order on 16th February, 1891, providing that in mixed trains the goods waggons must be placed behind the passenger carriages, and two years and six months was allowed for compliance with its requirements. It would be impossible to marshall the train in any other way without making the law as to the use of the automatic continuous brake on passenger carriages a dead letter. I am not aware that railway officials generally declare the working of the train thus composed to be unworkable; on the contrary, on a very large proportion of lines the practice is in force, and in some cases the carriages were so marshalled before the passing of the Act of 1889. It is generally admitted

that there is much greater risk to passengers in mixed trains than in ordinary passenger trains; and having regard to the interests of the public safety and the obligations imposed on the Board of Trade by the Act of 1889, I am advised that the Order should not be withdrawn or modified. I am fully alive, however, to the convenience of mixed trains, and am anxious that the greatest possible facilities should be afforded to the travelling public; but such serious accidents have resulted from the conveyance of passengers in vehicles inadequately braked that the Board of Trade would fail in their duty if they disregarded the precautions ordained by Parliament.

Mr. SEYMOUR KEAY: Will the right hon. Gentleman specially consider the case of single lines as in the North of Scotland?

Mr. MUNDELLA: That case has been specially considered, and in all cases except that of the Highland line there had been general compliance with the Order. I am bound to say that so recently as 1892 there was a collision at Auchintulloch, which might have been accompanied by grave loss of life, and in that case the Inspector specially reported that it was necessary to fit these trains with automatic brakes.

Mr. REITH (Inverness, &c.): Has the right hon. Gentleman received a Memorial from the Chamber of Commerce of Inverness in which it is stated that the Order of the Board of Trade will be extremely detrimental to the convenience of the people in the North of Scotland and to trade generally?

Mr. MUNDELLA: I have received such a Memorial. If any application is made for mixed trains, with proper arrangements, we shall be happy to consider it; but no such application has been made.

Dr. MACGREGOR (Inverness-shire): Is it a fact that no accident has occurred on the Highland line to a mixed train?

Mr. MUNDELLA: That is not so. I have just quoted one case, and I am bound to point out that the worst accident that has happened of late—that in County Antrim—was to a mixed train, where there is not proper brake power on the carriages for passengers.

Dr. MACGREGOR: Will the matter be reconsidered if the Chamber of Commerce makes application?

*Mr. Mundella*

Mr. MUNDELLA: No, Sir. I hope the Chamber of Commerce will not make itself the means of relieving the Railway Company of its duty to the public. The Company have had two-and-a-half years' notice, and have done nothing. They have never applied for a single mixed train till this day.

#### ANTHRAX.

Mr. JEFFREYS (Hants, Basingstoke): I beg to ask the President of the Board of Agriculture how many herds of cattle in England are suffering from anthrax at the present time; what precautions have been taken to prevent the disease spreading; and if he can state how the disease originates amongst cattle?

Mr. H. GARDNER: Anthrax was reported to exist on 13 farms in England during the week ended the 12th instant. The measures taken to prevent the spreading of the disease are set out in a General Order issued by me on the 16th December last, a copy of which I shall be happy to supply to the hon. Member. The disease is due to the entrance into the blood of a minute bacillus, which is a species of fungus and grows from spores or seeds, and the difficulty of dealing with it is due to the fact that it is practically impossible to prevent these microscopic organisms from entering stables and fields. The hon. Member will find some interesting information on the subject in the Annual Report of the Director of the Veterinary Department for the year 1892.

#### LICENSING REGULATIONS IN SCOTLAND.

Sir C. CAMERON (Glasgow, College): I beg to ask the Secretary to the Treasury whether his attention has been called to the fact that, by Section 6 of "The Public Houses (Hours of Closing) (Scotland) Act, 1887," it is provided that any person holding a licence for the sale of Excisable liquors in Scotland who shall contravene the terms of the certificate granted to him under this Act shall be guilty of an offence involving the penalties and forfeitures provided by the Licensing (Scotland) Acts, or any one of them, for breaches of the terms, provisions, and conditions of certificates; whether, in defiance of this provision of the law, the Board of Inland Revenue, under date 1st January, 1893, has in-



structed its officers in Scotland to permit publicans, who have received the permission of the Magistrates, to sell at the usual place of business beyond the hours mentioned in their certificate; whether he is aware that such a breach of the terms, provisions, and conditions of 10 o'clock certificates was sanctioned in Arbroath on the night of the 6th July last; and on what authority the Board of Inland Revenue acted when it suggested and countenanced this breach of the Licensing Law of Scotland?

**THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The instruction referred to is, no doubt, a paragraph in the "Instructions relative to Licences" issued by the Board of Inland Revenue, and has been in force for a number of years. It is incorrectly described in the question as an instruction to permit publicans to sell beyond the hours mentioned in their certificates. It is merely an instruction that publicans who have the permission of the Magistrates to sell beyond the hours prescribed by law at their usual place of business do not require occasional licences. This is a statement of the law, and is founded on the provisions of the Act 26 & 27 Vict., c. 33, section 19. It is understood that the Magistrates of Arbroath, on the occasion of the Royal Wedding on the 6th July last, authorised the publicans in the town to keep their premises open till 11 p.m.; but this extension of time was not in any way suggested by the Board of Inland Revenue, who were not concerned in the matter.

**SIR C. CAMERON**: But is not this instruction entirely contrary to the Act of Parliament, and ought not the Inland Revenue to administer the law?

**SIR J. T. HIBBERT**: The Inland Revenue Authorities should be the last people to do anything contrary to the law. If my hon. Friend wishes to try a test case he is at liberty to do so.

**SIR C. CAMERON**: I shall raise the question on the Estimates.

#### THE IMPRISONED ARMENIANS.

**SIR J. KENNAWAY** (Devon, Honiton): I beg to ask the Under Secretary of State for Foreign Affairs whether, besides the condemned Armenian prisoners recently referred to, there are also 24 who have been for six months in gaol awaiting trial, and if there is any pros-

pect of a speedy hearing of their case; whether, on the anniversary which occurs this month of the accession of the Sultan of Turkey to the Throne, it is the habit of His Imperial Majesty to release prisoners convicted of State offences; and whether the Secretary of State would see his way to urge that on this occasion the Royal clemency should be extended to the Armenian prisoners now under sentence?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): There are other prisoners still awaiting trial at Angora, though accounts differ as to the exact number. The Sultan has already been asked to extend his clemency to some of the prisoners; in two cases recently he has done so, and in other cases the sentences have been materially reduced. Any further representations must depend upon the nature of the evidence to which Her Majesty's Embassy has been promised access.

#### EUROPEAN UNCOVENANTED CIVIL SERVANTS.

**SIR R. TEMPLE** (Surrey, Kingston): I beg to ask the Under Secretary of State for India whether the Secretary of State in Council has under his consideration the disadvantages under which European Uncovenanted Civil servants in India suffer in respect of leave and furlough regulations whereby among others they are only permitted to take two years' furlough during their whole service, and having taken any such furlough are debarred from taking any leave on private affairs?

**\*MR. G. RUSSELL**: Yes, Sir; it is one of the points under consideration.

#### PRECAUTIONS AGAINST CHOLERA IN THE EAST.

**SIR H. ROSCOE** (Manchester, S.): I beg to ask the Under Secretary of State for India whether his attention has been called to a resolution passed at the Public Medicine Section of the British Medical Association meeting at Newcastle, on 2nd August, in which they recommend that it be referred to the Parliamentary Bills Committee to take such steps as may be desirable to approach the British and Foreign Governments with a view to obtain their intervention in securing measures for the suppression

of cholera at the Hurdwar and other Indian fairs, and at the Mecca pilgrimage, and that for this purpose also due submission of the facts be made to His Majesty the Sultan; and whether he will be willing to give the assistance requested in promoting efforts to check the extension of cholera at and from these religious festivals, and to co-operate with other European Governments and His Majesty the Sultan in providing measures for arresting the extension of cholera by inspection of pilgrims at the respective Indian ports of exit prior to embarking on the pilgrimages, and of obtaining the assent and assistance of His Imperial Majesty the Sultan of Turkey towards taking corresponding steps at Mecca in respect both to the sanitation of that holy place during the periods of pilgrimage, and the due inspection and sanitation of the land stations of caravans passing overland as well as at Jeddah and El Tor?

\*MR. G. RUSSELL: The Secretary of State for India has not yet seen the resolution mentioned in my hon. Friend's question; but he has seen abstract reports of some of the proceedings and addresses at the meeting. The Government of India has for some years past made effort to prevent the occurrence of epidemic cholera at, and its spread from, the great fairs and religious gatherings by instituting strict sanitary control at and around such fairs and gatherings. He is glad to say that the great fair at Hurdwar in the present year passed off without spreading cholera. These efforts will be continued by all authorities in India. Regarding the cholera at the Moslem holy places, the Under Secretary of State for Foreign Affairs has recently given answers in this House. So far as the assistance of the Government of India can second the arrangements of the Porte for preventing the occurrence of cholera at Mecca, Medina, and the Red Sea ports, such assistance will be readily given.

#### FLEET AND STAFF ENGINEERS.

MR. JEFFREYS: I beg to ask the Secretary to the Admiralty whether the Royal Navy is now short of Fleet and Staff Engineers; and, if so, whether he can give any reason for this?

*Sir H. Roscoe*

THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): Taking the question to relate to Fleet, Staff, and Chief Engineers, which ranks are reckoned together for all purposes, the number is not short. The limit, which was 250, is being raised by 10 promotions during each year to 280.

#### THE TIPPERARY MAGISTRACY.

MR. HOGAN (Tipperary, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that considerable public inconvenience has been occasioned for some time past in the town of Templemore, County Tipperary, from the dearth of local Magistrates; whether local gentlemen, willing and qualified to act as Justices of the Peace, were recommended for appointment several months ago; and whether he will endeavour to expedite the appointment of additional Magistrates for Templemore and district?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): No complaints have been made to the Lord Chancellor as to the dearth of local Magistrates at Templemore. A Resident Magistrate is stationed there, and the Petty Sessions appear to be fairly attended. One of the Magistrates recently appointed by the Lord Chancellor will attend the Templemore Sessions. The names of two other local gentlemen for the Templemore district were suggested to the Lord Chancellor; but his Lordship did not consider that he could appoint them to the Commission. The Lord Chancellor is always ready to consider the names of any properly qualified persons that may be brought before him.

#### BALL CARTRIDGE AT ALDERSHOT.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether it has yet been ascertained how ball cartridge came to be intermixed with the blank cartridge recently issued to the troops at Aldershot; and what steps it is intended to take to avoid a similar danger at Aldershot and other stations where blank cartridge is issued?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The accident is supposed to have arisen from the packers of the

two kinds of ammunition at Woolwich working in too close proximity. Most stringent orders have been given to separate, as far as possible, the inspection and packing of blank and ball ammunition. In addition every packet of blank ammunition is to be carefully weighed to ascertain that it does not exceed a proper mean weight. The whole of the ammunition at Aldershot is being examined and repacked.

MR. HANBURY: Is it a fact that men worked at the two kinds of ammunition in the same room?

MR. CAMPBELL-BANNERMAN: They were working in the same room.

#### SWAZILAND.

MR. HANBURY: I beg to ask the Under Secretary of State for the Colonies what he intends when he undertakes that Swaziland shall not be handed over to the Transvaal Government without the full and free assent of the Swazi people; and how is it proposed to ascertain the wishes of the Swazi people as distinct from the will or interests of the Swazi King?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): When I am in a position to communicate and to explain to the House the terms of the Convention, the hon. Member will see what I meant by saying that no arrangement in regard to the future government of the Swazis will be come to which does not involve the full and free assent of the Swazi nation. Until then I fear I cannot amplify my statement.

MR. HANBURY: When will that time arrive?

MR. S. BUXTON: I hope very soon. I am in communication with the Transvaal Republic.

MR. TOMLINSON (Preston): Have similar steps been taken to ascertain the wishes of the British residents in Swaziland?

MR. S. BUXTON: They are in a totally different position, and it was not necessary in their case to take such steps. If the hon. Member will wait till he sees the Convention, he will find that their rights and privileges have been carefully maintained.

#### THE MATABELE RAID IN MASHONALAND.

BARON H. DE WORMS (Liverpool, East Toxteth): I beg to ask the Under Secretary of State for the Colonies whether any further information has been received relative to the Matabele raid and the action of Lo Bengula in the matter; if so, whether he will communicate it to the House?

MR. S. BUXTON: The right hon. Gentleman has, no doubt, seen the telegrams published yesterday by the British South Africa Company and Reuter's Agency on the subject. We have not any further telegraphic news from Sir Henry Loch, who was, no doubt, aware that the information would reach this country through other channels.

#### THE MERIONETHSHIRE EDUCATION SCHEME.

VISCOUNT CRANBORNE (Rochester): I beg to ask the hon. Member for Merionethshire whether the only limitation as to the teaching of formularies distinctive of any particular denomination contained in "The Intermediate Education (Wales) Act, 1889," is to be found in Section 4, Sub-section (3) of that Act, which only applies to day scholars; (2) whether the sections dealing with religious education in "The Endowed Schools Act, 1869," are 15 and 16; (3) whether either of them can be put in force except at the demand of the parents or guardians of particular children, and in no case interfere with the religious education and observances of those who remain boarders; (4) and upon what statutory authority the Merionethshire Scheme interferes with the user of the formularies or the teaching of the distinctive tenets of any particular denomination in the case of boarders at a hostel or boarding-house of a school under the Scheme?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): (1) There is no other limitation in the Act. That mentioned applies only to day scholars. (2) Sections 15 and 16 of the Act of 1869 and Section 11 of the Act of 1873 directly, and Section 19 of the Act of 1869 indirectly, deal with religious education. Section 19 of the Act of 1869 is amended by Section 7 of the Act

of 1873. (3) Section 15 of the Act of 1869 is in part independent of the demand of parents and guardians; but it applies to day scholars only. Section 16 does not interfere with the religious education and observances of those who remain boarders. (4) The general statutory authority to make provisions of the kind indicated, which do not contravene any of the special provisions of the Act, is conferred by Section 9 of the Endowed Schools Act, 1869, as amended by Sections 3 and 11 of the Welsh Act.

**MR. STANLEY LEIGHTON:** May I ask whether the words "in the family worship so held, the formularies of any religious denomination shall not be used," are in the Welsh Scheme; and whether that does not limit the discretion of the Governing Body of the hostel or schools; and whether the Governing Body is not expressly left free by Section 16 of the Endowed Schools Act?

**MR. T. E. ELLIS:** All religious instruction given in the school is completely at the discretion of the local Governing Body. It is so in every Scheme, and in this case the prohibition is subject to Section 16 of the Act. A similar prohibition has been made in the Carnarvonshire Scheme, which has passed the House of Lords, and is now an Act of Parliament.

**MR. STANLEY LEIGHTON:** But are the words I have quoted not only not subject to, but in direct contradiction of, the 16th section of the Act?

**MR. T. E. ELLIS:** I do not think they are in direct contradiction; they are simply subject to the section. I take the view of the Charity Commissioners as both legal and formal.

**VISCOUNT CRANBORNE:** What means are there of testing the legality of the view which the Charity Commissioners take of the Scheme?

**MR. T. E. ELLIS:** By an appeal to the Judicial Committee of the Privy Council.

**MR. LLOYD GEORGE** (Carnarvon, &c.): Is it not the fact that the Scheme now complained of was the result of a compromise arrived at between two rival Schemes; and when it came before the Merionethshire County Council did the Conservative Members of the body object to it?

**MR. T. E. ELLIS:** No; I do not think there was any such objection.

*Mr. T. E. Ellis*

## EXPLOSIVES IN MINES.

**MR. CARVELL WILLIAMS** (Notts, Mansfield): I beg to ask the Secretary of State for the Home Department whether he is aware that, notwithstanding the provision of "The Metalliferous Mines Act, 1872," that not more than 4 lbs. of explosives shall be taken into a mine by a workman, packets of 5 lbs. have, for convenience, been permitted; but that, recently, Her Majesty's Inspector has insisted on a strict observance of the provision of the Act; whether, as explosives are put up in boxes containing 10 packets of 5 lbs. each, he will take advice whether it is safer, as well as more convenient, to allow such packets to be used than to break bulk and re-weigh the contents; whether 5 lb. packets are permitted by "The Coal Mines Regulation Act, 1872"; whether he is aware that Mr. Dickinson, the late Inspector of Mines, expressed the opinion that the use of 5 lb. packages was safer than that of 4 lb. packages; and whether, in view of all the facts of the case, the permission to use 5 lb. packages may be continued in metalliferous mines?

**MR. ASQUITH:** Five pound packets are permitted by the Coal Mines Regulation Act, 1872. Mr. Dickinson, the late Inspector of Mines, expressed the opinion that the use of 5 lb. packages was safer than that of 4 lb. packages. Neither I nor the Inspector has power to give permission for the use of 5 lb. packets in metalliferous mines; but I will consider whether legislation on the point is not desirable.

## SHIPBUILDING FOR THE NAVY.

**MR. ARNOLD-FORSTER** (Belfast, W.): I beg to ask the Secretary to the Admiralty how many ships for the Royal Navy have been commenced in the Dockyards or elsewhere since 1st September, 1892; and what are the names, class, tonnage, and date of commencement of such ships respectively?

**SIR U. KAY-SHUTTLEWORTH:** Since the 1st September last year the following ships have been commenced:—1 battleship; 3 second class cruisers; 2 sloops; 5 torpedo gunboats; and 2 torpedo boat destroyers. I shall be happy to give my hon. Friend the other particulars for which he asks; but it



would take too long to include them in an answer to a question.

#### OMNIBUS FARES IN THE METROPOLIS.

MR. SEYMOUR KEAY: I beg to ask the Secretary of State for the Home Department whether he is aware that many omnibus proprietors place inside their vehicles movable boards with scales of fares painted thereon, which are so affixed as temporarily to conceal the permanent scales of fares painted on the wall of the omnibus itself; and is this practice in accordance with the law; whether he is also aware that much deception is practised on the public by certain omnibus proprietors who paint inside their vehicles scales of fares not only unusual but unreasonable in themselves, as in the case of omnibus No. 2151, which demands the usual fare of 2d. for the journey from Chapel Street to Charing Cross, while it also demands 2d. for less than half of the same journey—namely, from Oxford Circus to Charing Cross; and can any steps be taken to protect the public in this matter? At the same time, I will ask the right hon. Gentleman whether his attention has been called to a case tried in the West London Police Court, on the 14th instant, from which it appeared that the scale of fare painted inside an omnibus was 1s. any distance, the public having entered the vehicle in the belief that the usual fares were in force; what degree of permanence is required in the fixing and exhibition of scales of fares painted on omnibuses, so as to meet the requirements of the law; and whether he will consider the advisability of amending the law, if such is necessary, to prevent impositions on the public in the matter of omnibus fares?

MR. ASQUITH: The late Chief Magistrate expressed an opinion that the fares may be painted on a board secured by nails or screws on the inside of an omnibus. The fraud to be guarded against is a change of tariff during a journey; but the proprietor may change his tariff at the end of every journey. The painting of the fares on the actual body of the vehicle would prevent the proprietor from exercising his undoubted right. The present Chief Magistrate—Sir John Bridge—also is reported to have said that he considered no offence had been committed even when the board

containing the table of fares was not screwed or fixed to the omnibus, and to have dismissed the summons in a case where the board was only hanging by a string. An omnibus proprietor may charge what fares he likes so long as he keeps distinctly painted in a conspicuous manner inside the omnibus a table of fares, which are deemed to be the only lawful fares. As the law at present stands, no steps can be taken except by legislation to protect the public in the matter. Passengers might, to some extent, protect themselves by asking before entering an omnibus the fare from one place to another. I shall consider, in consultation with the Commissioner of Police, whether it is desirable and practicable, by any and what change in the law, to secure a greater degree of uniformity in omnibus fares, and to protect the public against deception.

#### BURLESQUE MILITARY FUNERAL AT SHOEBOURNE.

MAJOR RASCH (Essex, S.E.): On behalf of my hon. and gallant Friend the Member for the Rye Division of Sussex, I beg to ask the Secretary of State for War whether the Military Authorities have received any report of a burlesque military funeral alleged to have taken place at the Camp, Shoeburyness, during the Volunteer prize meeting recently held here; whether any such serious breach of discipline occurred; whether any officers, non-commissioned officers, or men have been made responsible for the same; and whether Colonel Howard, R.A., the Camp Commandant, has made any observations or furnished any report with reference to the acts of profanity which are alleged to have occurred?

\*MR. CAMPBELL-BANNERMAN: There seems to have been some harmless joking among the Volunteers at Shoeburyness, and photographs were taken of an arranged scene; but this did not constitute a breach of discipline, and was not worthy of notice. Colonel Howard has reported on the incident.

#### INSANITARY GOVERNMENT PROPERTY.

MR. BYLES (York, W.R., Shipley): I beg to ask the Secretary to the Treasury whether he has seen a letter in *The Standard* of Saturday last, from Mr. Herbert W. Seager, M.B., alleging that he rents a house from the Woods and

Forests, and that the house is at times uninhabitable by reason of its being filled with deadly gases from a neighbouring cesspool, for which his landlord is responsible; that his wife and child have already died there from blood poisoning; that the Woods and Forest Commissioners refuse to take any action; and the local Sanitary Authority refuses to step in on the ground that it has no jurisdiction over Government property; and whether these allegations are admitted to be true; and, if so, whether the Commissioners will be compelled to adopt such measures as will protect the health of the inhabitants?

SIR J. T. HIBBERT: These allegations are not admitted to be true. I am informed that the deaths referred to occurred in 1887, and that Mr. Seager made no complaint to the Office of Woods about the cesspool until May, 1892. The cesspool had been made some time previously without any consent from the Department of Woods; but no complaint has been received respecting it from any other resident (though some are in closer proximity than Mr. Seager), nor from the local Sanitary Authority. The Commissioner of Woods, however, on seeing Mr. Seager's letter in *The Standard*, at once communicated with the Sanitary Authority; but no reply beyond an acknowledgment has been received.

#### DUNDALK INCOME TAX PAYER'S COMPLAINT.

MR. T. M. HEALY (Louth, N.): I beg to ask the Chancellor of the Exchequer is he aware that a trader in Dundalk, finding himself this year assessed 10s. more than he was last year, remonstrated with the Income Tax official against the increase, and said that for the past year his business had not been as good as previously, adding, "To the truth of what I say I can swear"; that the official is alleged to have replied, "You could swear 20 oaths and then go to your priest and he'd forgive you"; that *The Dundalk Herald*, a Conservative organ, vouched for these facts on 29th July, and as they have not since been challenged will he take any notice of the language in question?

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): The surveyor states that the trader in

question, instead of making his objection to the assessment in a proper manner, addressed him (the surveyor) in the street on the subject, and made use of offensive language. This, of course, affords no justification for the language used by the official, who has received a severe official reproof.

#### RESERVE SOLDIERS CALLED OUT.

COLONEL MURRAY (Bath): I beg to ask the Secretary of State for War what number of Reserve soldiers have been, and will be, called out for drill and training this year; and what steps have been taken towards using a certain number of the Reserve in strengthening battalions when required for emergencies?

\*MR. CAMPBELL-BANNERMAN: About 2,000 men of the Reserve are being called out for drill and training this year. The second question is still under consideration.

#### MILITARY SERVICE ABROAD.

COLONEL MURRAY: I beg to ask the Secretary of State for War what steps have been, or will be, taken this trooping season to equalise the number of battalions and strength of establishments of the Army at Home and Abroad?

\*MR. CAMPBELL-BANNERMAN: It is in contemplation to reduce by the end of this year the number of regiments having both battalions abroad from seven to four. All the Line battalions at home are on the equal establishment of 721 rank and file.

#### WANDSWORTH REGISTRATION LISTS.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for the Home Department, with reference to the Return, Parliamentary Electors, No. 129, what is the meaning of the classification, under the heading of "Freemen, &c." of 30 voters in the Metropolitan constituency of Wandsworth; whether "Reform Act, 1867," mentioned in a foot-note on page 8, means the Reform Act of 1832; and whether it is the case that no reduction appears to have been made for duplicate voters, numerous among the ownership electors in counties?

*Mr. Byles*

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. H. GLADSTONE, Leeds, W.) As regards the first question, I have asked the Returning Officer for Wandsworth for an explanation of the entry "30 freemen, &c.," made in his portion of the Return. As regards the second, I have to express regret that the clerical error pointed out should have occurred. I find that the date "1867" was substituted for "1832" in transcription for the printers. As regards the third, I cannot say whether or not any reduction has been made for duplicates among ownership voters. Occupation voters starred under Section 7 (5) of the County Electors Act, 1888, have been excluded, and Returning Officers were requested to exclude all other duplicates so far as possible. To do this with absolute accuracy is almost impossible.

#### THE DUBLIN MAIN DRAINAGE SCHEME.

MR. W. FIELD (Dublin, St. Patrick's): I beg to ask the Secretary of State for War whether his attention has been directed to the resolution unanimously passed at a great labour meeting held in Phoenix Park last Sunday, which condemned the delay alleged to be caused by the War Office and Treasury Departments in commencing the Dublin Main Drainage Scheme, as the health and convenience of the city is injured by the present condition of the River Liffey, and protesting against the waste of valuable fine weather for such operations, and the omission of giving much-needed employment; and whether he will expedite arrangements, so that the works may be begun at once?

\*MR. CAMPBELL-BANNERMAN: In view of the improved state of health of the troops in Dublin which may be looked for in the event of an efficient system of drainage being carried out for the city, I am as anxious as the Corporation can be to facilitate its completion. The Army Sanitary Committee, have, however, reported that the scheme proposed would be fraught with serious danger to the health of the garrison of Pigeon House Fort, and negotiations are in progress for the transfer to the Corporation of Dublin of the site of the fort.

MR. FIELD: Am I to understand, from the reply of the right hon. Gentleman, that he will expedite this business?

It has been going on for a very long time, and there does not appear to be any progress made whatever.

\*MR. CAMPBELL-BANNERMAN: Great progress has been made. It was necessary, when the scheme of the Corporation was communicated to the War Office, for me to refer it to the Army Sanitary Committee to find out what effect it would have on the health of the men at Pigeon House Fort. That Committee conducted an inquiry on the spot; its Report was sent to the Dublin Corporation, who have replied to it. The question is whether the Corporation and the War Office can come to terms as to the acquisition of the land. There has been no unnecessary delay.

MR. FIELD: About how many men are there in the Pigeon House Fort?

\*MR. CAMPBELL-BANNERMAN: I do not know; but whether they are many or few, it is not desirable that they should be poisoned.

#### THE MERIONETHSHIRE SCHEME.

SIR W. HART DYKE (Kent, Dartford): I beg to ask the hon. Member for Merionethshire, as Charity Commissioner, whether Clause 91 of the Merionethshire County Scheme is consistent with Clause 16 of "The Endowed Schools Act, 1869," referred to by him on 14th August; whether he is aware that a clause of a similar character, relating to denominational teaching in boarding houses, was contained in a scheme dealing with Christ's Hospital, and eventually struck out under a judgment of the Judicial Committee of the Privy Council as being *ultra vires*; and whether there is any scheme in operation under the Endowed Schools Acts containing such a restriction as indicated in Clause 91 of the Merionethshire Scheme?

MR. T. E. ELLIS: The Commissioners consider that Clause 91 of the Merioneth Scheme is consistent with Section 16 of the Endowed Schools Act, 1869; but, as has been already stated in reply to the hon. Member for Owestry, the Commissioners have taken care to obviate all possibility of incompatibility between the clause and the section by making the provisions of the clause subject to those of the section as embodied verbatim in Clause 90 of the Scheme. The provision to which the

hon. Baronet refers as having been struck out of the Christ's Hospital Scheme, in pursuance of a judgment of the Judicial Committee of the Privy Council, was not similar in character to this clause. That provision was that—

“Every person in charge of a boarding house of any school of the Foundation should allow exemption when claimed from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject.”

This provision the Judicial Committee declared to be contrary to Section 16 of the Endowed Schools Act, 1869. No provision similar to this can be found in Clause 91 of the Merioneth Scheme. But, if there be anything similar, it must give way to the requirements of Clause 90. The precise provisions of this clause are not contained in any scheme which is in operation under the Endowed Schools Acts. But a similar provision is made in Section 89 of the Carnarvonshire Scheme. In nearly all the schemes which have been framed by the Charity Commissioners under the Endowed Schools Acts for schools in England and Wales (except those which are strictly denominational by virtue of Section 19 of the Act of 1869), the power of prohibiting instruction in the schools in the formularies of any particular denomination is given by the Schemes to the Governing Body.

SIR W. HART DYKE: I do not wish to press the hon. Member unfairly, but I desire to ask him whether, as Clause 91 now appears for the first time, and is proposed to be carried into operation under this Scheme, whereas the House was first informed by the Vice President of the Council that this clause was founded on the Act of 1891, and on the Endowed Schools Act; and whether, as on the 14th August we were informed by the hon. Member that the clause was founded only on Section 16 of the Endowed Schools Act, and as we have been informed that it is subject to six or seven other clauses of the Endowed Schools Act, the hon. Member does not think it advisable to refer this matter to the Judicial Committee of the Privy Council to have a legal opinion taken upon it rather than risk the destruction of the whole Scheme, which is inevitable as the clause remains, and so put back the entire education in this district of Wales?

*Mr. T. E. Ellis*

MR. T. E. ELLIS: I have just stated that a similar provision appeared in Clause 89 of the Carnarvonshire Scheme, which was thoroughly discussed in the House of Lords for several hours some months ago, and passed without any vote whatever. The Commissioners are perfectly satisfied that the clause is legal, not founded on Section 16, but subject to Section 16, and it is not the duty of the Commissioners, but of the objectors to the Scheme, to test its validity.

MR. BARTLEY: Is it not the fact that the Scheme wholly prohibits the reading of collects in family worship in the hostel.

MR. T. E. ELLIS: Yes, Sir.

#### DINING ROOM ACCOMMODATION IN THE HOUSE.

MR. MAC NEILL (Donegal, S.) I beg to ask the First Commissioner of Works whether he has acted upon his promise to communicate with the Lords with a view to the use of their Dining Rooms by Members of this House; and whether, as the House of Lords has adjourned for some weeks, he can see his way to effect this arrangement, and thus to relieve the Members of the House of Commons from the heat and inconvenience arising from the over-crowded state of their Dining Rooms?

MR. W. JOHNSTON (Belfast, S.): Before the right hon. Gentleman answers that question, may I ask whether, instead of holding a House of Commons picnic in the House of Lords, it would not be better for the convenience of Members to suggest to the Prime Minister the withdrawal of the Home Rule Bill?

THE FIRST COMMISSIONER OF WORKS (MR. SHAW LEFEVRE, Bradford, Central): I have been in communication with the House of Lords on the subject of the hon. Member's question in accordance with my undertaking to the House, but with no result. In my letter on the subject to the Lord Great Chamberlain, I suggested that even if their Lordships were unable to concede concurrent use of their Dining Rooms to Members of this House it would be a sensible relief to them from the inconvenience they now suffer if they should be allowed the use of the Lords' Dining Rooms when the House is not sitting or has adjourned. I have received a reply from the Committee of the Lords, to



whom the matter was referred, expressing their regret that they cannot comply with my request. I do not think I can carry the matter further; but I would suggest to hon. Members opposite, whose influence with the Lords is much greater than that of the Government, whether they cannot exert that influence for the purpose of inducing the Lords to make some overture in respect of the numerous occasions when in consequence of early adjournments they make no use of their Dining Rooms?

MR. MAC NEILL: Will the right hon. Gentleman use his great influence with the Leader of the Opposition to induce him to ask the Lords to drop this "Lord-in-the-Manger" policy?

#### MILITARY MANŒUVRES IN HOT WEATHER.

MR. JEFFREYS: I beg to ask the Secretary of State for War what casualties (if any) occurred amongst the troops employed in the recent manœuvres at Aldershot; and if due precautions were taken so that the troops were not unnecessarily exposed to the extreme heat of the day?

\*MR. CAMPBELL-BANNERMAN: I can best reply to this question by reading the Report received from the General commanding at Aldershot—

"I took all precautions to save fatigue to the Volunteers. . The extreme distance marched by any of them prior to the commencement of operations on the 9th of August was 5½ miles, and officers were detailed as guides to show the nearest route. The day was very hot, and, mainly in consequence of the heat, eight men were admitted to the hospital, of whom I regret to say, one died. He was nearly 60 years of age, and had been allowed to prolong his service as being a very good shot. He was taken to the hospital in an ambulance and every attention was paid to him. There were no casualties on other days."

MR. JEFFREYS: The right hon. Gentleman has not answered the latter part of my question. May I ask whether precautions could not be taken against exposing the Volunteers in the extreme heat of the day; whether the Volunteers in question are not unused to such violent exercise; and whether they had not marched five miles and a half in the early morning without breakfast, and then gone through the manœuvres later in the day?

\*MR. CAMPBELL-BANNERMAN: The words used by Sir Evelyn Wood,

with the question of the hon. Member before him, are—"I took all precautions to save fatigue to the Volunteers."

\*SIR J. GOLDSMID (St. Pancras, S.): Will the right hon. Gentleman give instructions that the troops shall not be exercised in these days of extreme heat, as it has a bad effect on the troops, and it is right to save our Army?

MR. CAMPBELL-BANNERMAN: I can hardly conceive that the General Officer commanding at Aldershot would be altogether oblivious of the facts which the hon. Member has referred to. I doubt if there is any occasion for me to interfere.

MR. DARLING (Deptford): Is it not the practice, under such circumstances, for the Commander-in-Chief to protect himself with a parasol?

MR. PIERPOINT (Warrington): Did any casualties occur among the Regular troops during the excessive heat?

MR. CAMPBELL-BANNERMAN: Will the hon. Member give notice of the question?

DR. FARQUHARSON (Aberdeenshire, W.): Was not the falling-out from troops which were being marched before breakfast? Did not Sir Evelyn Wood report that as the principal cause?

MR. CAMPBELL-BANNERMAN: I have given the House all the information in my possession. If the hon. Member wishes any further details perhaps he will give notice.

#### PLEURO-PNEUMONIA IN CANADIAN CATTLE.

MR. W. WHITELOW (Perth): I beg to ask the President of the Board of Agriculture if he can state the history of the animal which is supposed to have infected a herd of cattle at Cambuslang with pleuro-pneumonia?

MR. H. GARDNER: The inquiries we have instituted go to show that the animal in question was taken from Dublin to Glasgow on the 22nd June last, and thence to Cambuslang. She was sent to Dundee on the 3rd July and remained there until she was slaughtered on the 21st July, and it was then that the fact that she was affected with pleuro-pneumonia was discovered. A large number of animals have been slaughtered, both in Ireland and Scotland, with

which it is known that she had been in contact; but we have discovered nothing to show where the disease was contracted.

#### INSURANCE RATES IN BELFAST.

MR. E. M'HUGH (Armagh, S.): I beg to ask the President of the Board of Trade whether he has read the paragraph in *The Irish News* announcing that the Insurance Companies doing business in Belfast have raised the premiums as much as 50 per cent. on all fire insurances effected since July last; if he will ascertain from the companies why the Belfast merchants and traders are compelled to pay these enormously high premiums, which are in many cases over 100 per cent. higher than traders in Dublin and other towns have to pay; whether he has any information concerning the reason Belfast is the only city where the average clause is in force; and if he will use his good offices with the companies to induce them to put Belfast merchants on the same footing as traders in Dublin and other parts of Ireland, or at least to revert to the old rates and not to impose this additional tax on the Belfast traders, especially as the City Authorities are about to expend £30,000 in procuring the newest appliances for extinguishing fires?

MR. MUNDELLA: I understand that the Insurance Companies have raised their rates in Belfast because they did not pay; but the Board of Trade has nothing whatever to do with insurance rates.

MR. FLYNN (Cork, N.): Can the right hon. Gentleman say why the rates have been raised?

MR. MUNDELLA: I am told they have been raised. It is not a matter in which I can interfere.

#### FOREIGN AND COLONIAL MEAT.

MR. YERBURGH (Chester): I beg to ask the President of the Board of Agriculture whether he proposes to bring in a Bill to carry out the recommendations of the Lords' Committee upon the Marking of Foreign and Colonial Meat?

MR. MUNDELLA: The Report of this Committee has only just been circulated, and the evidence is not yet available, so that I have had no opportunity of considering it with my right hon. Friend

*Mr. H. Gardner*

the President of the Board of Agriculture. Under these circumstances, we are unable at present to make any statement on the subject.

MR. YERBURGH: When will some definite statement be made?

MR. MUNDELLA: It is evident none can be made till we have read and considered the evidence.

#### LAND LOANS IN IRELAND.

MR. T. CURRAN (Sligo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a farmer named John Hannan, of Ballymote, County Sligo, applied to the Local Government Board for a loan of £50 under "The Land Law (Ireland) Act, 1881" (Section 31), and paid 10s. for preliminary expenses, and that on 18th May last the Local Government Board wrote to Mr. Hannan to say they were not in a position to consider his case; and will he see that the advance asked for will be made without unnecessary delay?

\*SIR J. T. HIBBERT: Under existing regulations the minimum loan that can be granted by the Board of Works is £35, and the maximum amount which can be advanced in respect of any holding for which a judicial rent has been fixed is equal to three years' purchase of such judicial rent, or in this case £30. The applicants do not, therefore, qualify for the minimum loan, and have been so informed. The Board of Works will return the deposit of 10s.

#### THE CASE OF MAJOR RICHARDS.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Secretary to the Treasury whether, in view of the evidence given by official witnesses from the Treasury and War Office before the Committee on Public Accounts, *vide* Second Report, July 1893, pages 51 to 58, relative to losses of stores in South Africa in 1886 to 1890, and to the supposed responsibility of Major Richards, late store officer in charge of military stores in Natal at Fort Napier, Pietermaritzburg, and Durban, and to the correspondence which followed between the War Office and Treasury upon the subject, notably the letters of 8th January and 8th April, 1892, from the War Office, setting forth the views of the Secretary of State for War and His

Royal Highness the Commander-in-Chief, the Secretary to the Treasury will use his influence with the Lords of the Treasury to secure a reconsideration of Major Richards's case, and the withdrawal of their objection to his being placed on the ordinary half-pay of his rank?

SIR J. T. HIBBERT: The punishment inflicted on this officer of reduced half-pay was awarded spontaneously by the War Department. It is for that Department to reconsider it if the punishment was excessive. The only objections raised by the Treasury were to Major Richards's re-employment and to the write-off of the deficit on his accounts before the matter had been investigated by the Public Accounts Committee.

ADMIRAL FIELD: May I ask whether, as the Treasury have no objection to the restoration of Major Richards, the Secretary to the Treasury will use his influence with the Secretary of State for War to induce him to assume a less war-like attitude towards Major Richards?

SIR J. T. HIBBERT: I think the matter may be left with every confidence in the hands of my right hon. Friend.

#### SMOKELESS POWDER PATENTS.

MR. HANBURY: I beg to ask the Secretary of State for War whether, with a view to the introduction of a smokeless powder, certain private inventors were invited to send in particulars of their inventions to the War Department; whether these were submitted to a committee of experts, of which Sir F. Abel was a member, and were rejected; whether subsequently Sir F. Abel and Professor Dewar took out a patent for cordite, the manufacture of which for public reasons is kept a secret; whether, nevertheless, Sir F. Abel assigned the patent for use abroad to a foreign manufacturer, and whether this was done with the previous consent of the War Office; whether, in conjunction with Dr. Anderson, now Director of Ordnance Factories, he patented machinery for the manufacture of cordite; whether that machinery is now in use at the Government Factory; whether the orders for that machinery were given to Messrs. Easton, Anderson, and Co.; and what, at the time the order for such machinery was given or repeated, was the connection of the present Director of Ordnance Factories with that firm?

\*MR. CAMPBELL-BANNERMAN:

In reply to paragraphs 1 and 2 of the hon. Member's question, I have to say that in 1888, in the early stages of the inquiry regarding smokeless powder, one inventor was invited to submit samples. Several other explosives had previously been submitted to the Department, and others were sent in from time to time without special invitation. In 1890 several inventors, whose explosives were thus before the Department, were invited to submit samples for competitive trial, with each other and with cordite and walthamite, for use in the .303" rifle. These trials were carried out by the Explosives Committee, of which Sir F. Abel was President. The results having been submitted to and carefully considered by the Military Authorities, it was decided by them that cordite was distinctly superior to the other explosives, and its adoption was recommended to the Secretary of State. The answer to question 3 is that it was not subsequently to these trials of 1890 that the Abel-Dewar patents were taken out. They were taken out in 1889, and the British and Colonial patents were transferred to the Secretary of State. It is not the case that the manufacture of cordite is kept a secret. Certain firms who might be able to tender for its supply were, in fact, invited to inspect the process at Waltham; but as the question whether this manufacture is or is not an infringement of certain previous patents is now the subject of a suit in Court, it was thought right by the holders of those patents, as well as by the War Office, that the works should be for the present closed to the public. In regard to paragraph 4, Sir F. Abel and Professor Dewar did take out patents abroad and assigned them to a foreign manufacturer. The previous consent of the War Office was not asked for, but the fact was reported to the Department. As regards the fifth paragraph, the answer is, Yes, in conjunction also with Professor Dewar. The patent was applied for before Dr. Anderson joined the Government Service. On its completion, the patent was assigned to the Secretary of State, Dr. Anderson having been in the meantime appointed Director General of Ordnance Factories. The answer to paragraph 6 is, Yes. As to the last paragraph also, the answer is to the last.

in the affirmative. Some of these orders were given before Dr. Anderson joined the Department, the machinery being principally of his invention, and the firm having had large, and, to the War Office, most satisfactory, experience in supplying similar machinery for the Public Service. Since that time about one-third of the machinery has been supplied by Messrs. Easton and Anderson and two-thirds by the Royal Arsenal. Since Dr. Anderson joined the Service he has had no connection with the firm of Easton and Anderson.

MR. HANBURY: When the right hon. Gentleman says that this patent was applied for before Dr. Anderson joined the Public Service, is he aware that it was applied for on July 22, 1889; that Dr. Anderson joined the Public Service a week later, on August 1st, 1889; and that the specifications of the patent were not sent in till more than six months later?

\*MR. CAMPBELL-BANNERMAN: I am not aware of the dates, but I may point out that in a case such as this the reason why it is desirable, when someone connected with a Government Department has made an invention useful for the Department, that he should be allowed to take out a patent, is obviously that it prevents its falling into other people's hands. As the inventor immediately assigns the patent to the Secretary of State, he gets no profit from it.

MR. HANBURY: I shall call attention to the matter on the Estimates.

MR. J. E. ELLIS (Nottingham, Rushcliffe): At the date of these transactions did the right hon. Gentleman occupy his present position, and is he responsible for them?

\*MR. CAMPBELL-BANNERMAN: It is a matter of common knowledge, I should think. These questions are connected with a transaction for which I have no personal responsibility.

\*SIR C. W. DILKE: What is the advantage of assigning the patent to the Secretary of State, seeing that it has been ceded also to foreign manufacturers?

MR. HANBURY: Was not the direct result of Dr. Anderson's taking out this patent that the manufacture of the machinery was given to the private firm in which Dr. Anderson was interested?

*Mr. Campbell-Bannerman*

\*MR. CAMPBELL-BANNERMAN: This is a matter of argument which could better be dealt with when the subject is brought up on the Estimates. But the potential reason for the making of this machinery being given to the firm referred to was that that firm had already been employed more largely than any other by the War Office for making similar machinery. The machinery for manufacturing gun-cotton at Waltham Abbey was made by this firm, and gives great satisfaction.

#### THE LANARKSHIRE MAGISTRACY.

MR. JOHN WILSON (Govan): I beg to ask the Secretary for Scotland whether he is aware that 49 gentlemen were last week appointed Justices of the Peace for the County of Lanark; whether he would explain how it comes that there are on the list more than four Conservatives for every one who are supporters of the present Government; and whether, considering the dissatisfaction arising from this state of matters, steps will be taken to have the balance of Parties on the Commission of the Peace placed on a more equal footing?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): In answer to my hon. Friend, I beg to state that the Lord Chancellor is fully alive to the circumstances of the case, and hopes shortly to sign a *fiat* for further additions to the Commission.

#### PUCKLECHURCH SCHOOL BOARD.

MR. COLSTON (Gloucester, Thornbury): I beg to ask the Vice President of the Committee of Council on Education if he will state what inquiry was held in the case of Pucklechurch, Gloucestershire, before ordering the election of a School Board; and whether the managers of the voluntary schools had signified to the Education Department their intention to provide for any deficiency of school places which might arise from the closing of one of the schools?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The Department made inquiry into the circumstances of the case through Her Majesty's Inspector, who visited the locality for that purpose.



The managers of the national schools signified the intention mentioned in the question. A Memorial signed by 65 residents and ratepayers, and showing a strong feeling in favour of the provision of a school by a School Board, had, however, been received by the Department; and it was, moreover, necessary to make immediate provision for about 120 children who had been attending the British school. This immediate provision, by means of the School Board taking over the British school, could only be supplied by action under Section 12 (2) of the Act of 1870, which was intended to meet such cases, and the Board was accordingly formed under that section.

#### CUSTOMS ACCOUNTS.

MR. THEOBALD (Essex, Romford):

I beg to ask the Secretary to the Treasury whether a system of warehouse accounts common to the Customs and Inland Revenue Departments was adopted with the approval of the Treasury in 1885, and whether the Treasury then ordered that no change should take place in this system without the joint approval of the respective Revenue Boards; whether this system of book-keeping has worked satisfactorily in the Inland Revenue Department; and whether the proposed alterations, involving the abolition of warehouse ledgers and the reduction of the checks against fraud in the Customs Outdoor Department, have been submitted to the Inland Revenue Board for approval?

SIR J. T. HIBBERT: The statement in the first paragraph is substantially correct, and the system of book-keeping has worked satisfactorily in the Inland Revenue Department. The changes in the Customs system were made with the full approval of the Treasury, and were notified to the Board of Inland Revenue. They were made on competent advice, with the object not of reducing, but of strengthening, the checks against fraud.

#### WAGES FOR GOVERNMENT LABOUR.

MR. DARLING: I beg to ask the President of the Board of Trade whether his attention has been called to a speech delivered on the 1st August by Mr. Sidney Webb, of the London County Council, to the men employed in the Victualling Yard at Deptford; whether it is

the fact, as alleged by Mr. Webb, that the Labour Department of the Board of Trade had made a Report to the Government as to wages and hours of labour in the various Government Departments in London; whether it is the fact, as alleged by Mr. Webb, that such Report showed—

“Such a state of starvation wages in the Government Departments, and wide difference between Government rates and the current rate actually being paid outside, that the Government had not dared to publish the Report”;

and whether it is intended to publish such Report?

MR. MUNDELLA: The Report in question was prepared for the confidential information of a Committee of Her Majesty's Government. It is purely statistical; was never intended for publication; but was meant for the private use and guidance of the Departments concerned, who were represented on the Committee. The account of the Report referred to as given in the question is not accurate.

\*MR. COHEN (Islington, E.): Can the right hon. Gentleman inform the House how this document, which he says was intended for private and confidential circulation, came into the hands of Mr. Sidney Webb?

MR. MUNDELLA: I have never heard that it ever did come into his hands. I should very much doubt if he ever had possession of it.

\*MR. DARLING: Is the right hon. Gentleman aware that Mr. Sidney Webb in his speech used the words quoted in the latter part of the question—namely, that such Report showed

“Such a state of starvation wages in the Government Departments, and wide difference between Government rates and the current rate actually being paid outside, that the Government had not dared to publish the Report”?

MR. MUNDELLA: There was no letterpress in the document; it was purely statistical. It was not of the nature suggested, and was prepared for use at a private meeting of the Cabinet.

MR. DARLING: Does the right hon. Gentleman intend to suggest that Mr. Sidney Webb did not see the Report from which he quoted?

MR. MUNDELLA: I made no such suggestion; but I should like to ask the hon. and learned Member—[*Cries of “Order!”*—whether he means to say

that Mr. Sidney Webb had a copy of the Report?

\*MR. DARLING: I do not know Mr. Webb's means of information; I only saw his speech, which closed with the words — "The Government have not dared to publish the Report."

MR. MUNDELLA: The Government never intended to publish the Report. It was a purely confidential document.

#### COMMUNICATION WITH THE "NO" LOBBY.

MR. HAYDEN (Roscommon, S.): I beg to ask the First Commissioner of Works whether, with the view of facilitating the entrance of Members into the Chamber from various rooms of the House in order to take part in Divisions, he will during the Recess take into consideration the desirability of erecting a covered passage from the Tea Room or Reading Room to the "No" Lobby, by means of which much of the delay and inconvenience caused during the present Session would be avoided?

MR. SHAW LEFEVRE: I will consider the question during the Recess.

#### FACTORY INSPECTORS.

SIR J. GORST (Cambridge University): I beg to ask the Secretary of State for the Home Department has the post of Deputy Superintending Inspector of Factories been recently instituted; and, if so, when; was the institution thereof notified at the time by Her Majesty's Chief Inspector of Factories to the inspecting staff, according to previous custom in the Department; and, if not, why not; and will he explain why the person appointed to the new office was afterwards promoted to be a full Superintending Inspector of Factories over the heads of some of the Inspectors, senior to himself, who hold records of the highest character as to the zeal and ability with which they have performed the duties of their office?

MR. ASQUITH: In consequence of the increased duties of the Department, it was deemed advisable last May to select one of the Factory Inspectors to act, as a temporary arrangement, for any of the Superintending Inspectors who might be absent on leave or for other causes; but this was a purely temporary Departmental arrangement, which it was not considered necessary to notify to the

*Mr. Mundella*

staff generally. A vacancy among the Superintending Inspectors is filled by the selection of the Inspector who is considered most suitable for the post, and not merely by seniority. In the recent appointment the same course has been adopted as on former occasions, and the selection of the particular Inspector involves no disparagement or want of appreciation of the ability or the services of the Inspector senior to himself. I may observe that the most senior of these gentlemen was less than a year senior to the Inspector who was promoted.

#### UNIVERSITY COLLEGE, BANGOR.

MR. TOMLINSON: I beg to ask the Vice President of the Committee of Council on Education whether, under the constitution of the University College of Bangor, there is any person or authority filling the office of Visitor; and whether, before the grant of £4,000 is voted by Parliament for the support of the College, he will take steps to secure that a Visitorial Inquiry shall be held into the grounds for the withdrawal from Miss Hughes of her licence to keep a hall in the College?

MR. ACLAND: There is no person or authority filling the office of Visitor at University College, Bangor. With reference to the latter part of the question, I can only repeat the reply given to a similar inquiry on the 14th instant namely, that I do not think that the fact that the College receives a Treasury grant of £4,000 provides any justification for the Government to undertake an inquiry or demand an inquiry in a matter which appears to be one of internal discipline.

MR. TOMLINSON: Is it not an exceptional thing for a College to have no Visitor? Will the right hon. Gentleman take steps to get one provided?

MR. ACLAND: That raises the question of the Charter granted to the College. I have no doubt there are a good many instances in modern times where no Visitor has been appointed.

MR. TOMLINSON: Will the right hon. Gentleman take steps to have one appointed in this case?

MR. ACLAND: I do not think it necessary to provide Visitors for these Colleges, which are going on very well.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): The right hon.

Gentleman says the Colleges are going on well; but is that not the fact that the Duke of Westminster, Lord Penrhyn, and other persons of distinction have withdrawn in consequence of the false position taken by the Senate and the Council?

MR. KENYON (Denbigh, &c.): Are there not on the same side of politics as the gentlemen named others of equal standing ready to take the places of those who have withdrawn?

MR. ACLAND: I know nothing of the alleged withdrawals, but I quite believe that, if they have taken place, other gentlemen of position on the same side of politics will easily be found to fill the vacancies.

#### THE CROFTERS ACT.

DR. MACGREGOR (Inverness-shire): I beg to ask the First Lord of the Treasury whether the Government will be able this Session to amend the Crofters' Act in so far as to include leaseholders paying an annual rental of £30 and under within the benefits of the Act?

THE FIRST LORD OF THE TREASURY (MR. W. E. GLADSTONE, Edinburgh, Midlothian): As already stated, the Government approve the object mentioned in the question, and are anxious to give it their support; but, in the present state of their engagements, they are not able to make any further statement on the subject.

#### THE CONVICT GALLAGHER.

CAPTAIN SINCLAIR (Dumbarton): I beg to ask the Home Secretary a question of which I have given him private notice—whether the statement which appears in *The Star* of this evening, to the effect that Dr. Gallagher, a prisoner in Portland, has been released on the ground of insanity, is accurate?

MR. ASQUITH: There is not a shadow of foundation for that statement. From reports which reach me Dr. Gallagher is a person in very sound health, and exhibits no trace of mental infirmity. There is no intention whatever to release him.

#### NEW MEMBER SWORN.

Charles Wallwyn Radcliffe Cooke, esquire, for the Borough of Hereford.

### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL. (No. 428.)

#### CONSIDERATION. [NINTH NIGHT.]

Bill, as amended, further considered.

\*MR. VICARY GIBBS (Herts, St. Albans) said, he rose to move in Clause 3, page 2, line 23, to leave out "legal tender," in order to insert "currency." The Chancellor, of the Exchequer, at an earlier stage, had stated that he would consider whether any safeguards as to currency, and, if so, what, should be brought forward; and as they had since heard nothing from the right hon. Gentleman on the subject he thought he was justified in raising the question, so that the Government might have an opportunity of explaining their views on the matter. No harm would happen through giving the Irish Legislature power over the currency if they did not make an immoderate use of paper. But experience showed that every Government, at any rate, any needy Government always did resort sooner or later to an over-issue of paper. There was no precedent to be found in the civilised world that he knew of for a Central Authority delegating to a subordinate body the power of issuing an unlimited number of notes without providing security for their payment. The right hon. Gentleman the Chancellor of the Exchequer had said, in reply to the right hon. Baronet the Member for the University of London (Sir J. Lubbock), that there was no necessity for any such uniformity of currency as would come into effect if the Amendment were accepted, and that if the Irish Legislature desired to issue £1 notes or £2 notes he did not see why they should not be allowed to do so. Such a currency already existed in Scotland, no doubt; but he thought it very desirable that they should do whatever they could to make the currency uniform. The Chancellor of the Exchequer, in his answer, appeared to miss the essence of the case. This was not a question of the form of the currency, but that the basis on which that currency was issued should be the same in the three parts of the United Kingdom. Speaking for the commercial classes, especially in the North of Ireland, he submitted that great injury would

be caused to trade and commerce if the Irish Government were suddenly to contract the right of private banks to issue notes and to over-issue Government notes. If a large issue of notes took place in Ireland it would have a tendency to drive out gold, and consequently to cripple the purchasing power of the country as well as trade between the two countries. He denied that the Amendment, if adopted, would be humiliating to Ireland any more than the Government proposal. It merely proposed to carry out what was admittedly the object of the Government, and was not in any way opposed to the spirit of the Bill. It could not be said that the Amendment was opposed to the general principle of the Bill, which was to give the Irish Government control over purely local matters. It seemed to him quite as important to safeguard the currency as to safeguard legal tender. He did not suppose the Irish Legislature would desire to issue its own notes; but if the Bill passed without this Amendment, it was probable that they would guarantee the notes of a State bank. As happened in other democratic countries, there would be an agitation set on foot for the establishment of a State bank, supported by the guarantee of the Irish Government, and the tendency would be to give it an undue preference over the existing Irish banks. The way in which it would be done would be this—the Irish Legislature would supplement the insufficient reserve which they would compel the State bank to keep against the issue of notes, by their own guarantee; they would stop the issue of notes by other banks, or increase the severity of the present restrictions upon such issue. The Irish people would be perfectly ready to accept the State bank paper, and a large amount of it would get into circulation, there being no real reserve or protection to the holders of the paper, the security being simply the power of the Irish Government to tax the people. The establishment of such a system would give enormous power to a Government that would be stronger in eloquence than in finance—power in the matter of overdrafts and so on. A bank scandal might arise, everybody would rush to the State bank to convert their notes into gold. There would be enormous pressure for gold, and the State bank would get into

*Mr. Vicary Gibbs*

difficulties. That, however, would not be the worst. Pressure, which the House of Commons would be unable to resist, would be brought to bear in favour of repealing that part of the Bill which restricted the Irish Government from dealing with matters relating to "legal tender," and that not at the instance of the Irish Legislature, but of the holders of the State paper, who, obviously, would find themselves ruined. It was on this account, and because it seemed to him that it was a necessary and proper development of the proviso the Government had themselves introduced, that he ventured again to press the Amendment on the House. There would be, of course, many other inconveniences that would react on English trade resulting from interference by the Irish Government with the Currency Laws. How had the Amendment been received in Committee by the Irish Members? The hon. Member for the County of Dublin had spoken at length on the subject, and had poured forth the vials of his wrath upon the right hon. Baronet the Member for the University of London and the right hon. Gentleman the late Chancellor of the Exchequer for the manner in which they had argued in favour of that Amendment. The hon. Member had declared that the proposal was insulting to Ireland. That was an unreasonable statement, seeing that the proposal was only made in the interests of sound commerce. And the hon. Member had said that the Irish Legislature did not require to be lectured by Lombard Street; that England had degraded the currency—though he had omitted to say how—and that when Ireland got Home Rule she would teach banking to England. That was what he (Mr. Vicary Gibbs) was very much afraid of—that Ireland would give us very striking illustrations of how banking ought not to be conducted. He would suggest to the hon. Member the adoption of a little more modesty in the expression of his views—

\*MR. H. H. FOWLER: Order, order!

\*MR. VICARY GIBBS: Why am I out of Order?

\*MR. H. H. FOWLER: The hon. Member is replying to a speech made in Committee.

\*MR. VICARY GIBBS said, he did not know that that course was out of Order, and he, therefore, apologised for what he had said. He would only ex-



press a hope that the Government would recognise that the Amendment was not brought forward vexatiously, or with the idea of obstruction, but in the desire that the Government would see their way to carry out that which the Chancellor of the Exchequer led the Committee to believe they might hope to see carried out, and so remove a serious source of danger if the Bill became law in the form in which it now stood.

Amendment proposed, in page 2, line 23, to leave out the words "legal tender," in order to insert the word "currency."  
—(*Mr. Vicary Gibbs.*)

Question proposed, "That the words 'legal tender' stand part of the Bill."

THE FIRST LORD OF THE TREASURY (*Mr. W. E. GLADSTONE*, Edinburgh, Midlothian): As the hon. Member has pointed out, the Chancellor of the Exchequer stated that he would not lose sight of this question, but would endeavour to make sure that the enactment in the Bill was a sound one. Well, the result of the consideration of this subject promised by my right hon. Friend is that the Government think it quite right that there should be uniformity of tender and uniformity of coinage in the three countries; and to that proposition, as I understand, the Irish Representatives have given their cordial assent. But outside the question of coinage and legal tender there is the question of voluntary currency; and that voluntary currency exists in this country, in Scotland, and in Ireland under the authority of the State, but, though under the authority of the State, having no special virtue. There is no special wisdom in our legislation about the notes of private banks in any of the three countries; it is the result of accident and of the fact that great difficulties have been found to attend the removal of the system, which is a very indifferent system and has no particular recommendation at all, while it deprives the State, in point of fact, of a most legitimate Revenue to which it is entitled from the profit of this circulation. I myself, when Chancellor of the Exchequer, made a very earnest effort to try and amend that state of things; but on the Third Reading of my Bill I failed in the effort. That was about 30 years ago, and nobody since has thought fit to attempt the same invidious office. The

Irish Legislature may have a great deal more youthful vigour for this practical purpose than we have, and it is possible they may do good, and, without injustice to anybody, may secure a perfectly honest and unexceptionable Revenue from the voluntary currency in Ireland, though we have failed, or almost failed, to do it; and our legislation on the whole matter, though good in certain points—notably the Bank Charter Act of 1844—yet has not been developed, and has never been anything but a bungling business. I hope the Irish may manage these matters better than we have done—they cannot very well manage them worse. But, Sir, to take this matter out of Irish hands, in my opinion, would be most unjust; whether they manage it well or ill is a matter for the Irish to consider. They should be allowed to exercise their own discretion; and when they come to be invested with the power of domestic government, whatever may be the course taken by Ulster Members and anti-Nationalists, I believe they will stand up firmly for their prerogatives, and will endeavour to make honest gains at the expense of nobody, under sound principles of commercial law—of course, without invading the provisions of the Statute in respect of coinage and legal tender. The Government, therefore, are at issue with the hon. Member on this subject, and must adhere to the Bill.

MR. GOSCHEN (*St. George's, Hanover Square*): Although I believe it is not so absolutely out of Order on the Report stage to refer to speeches made in Committee as the right hon. Gentleman the President of the Local Government Board appears to suppose, I do not myself propose to allude to the Debate which took place on a previous occasion, except to refer, as the right hon. Gentleman did himself, to the declaration of the Chancellor of the Exchequer, on the force of which the Amendment was withdrawn. I regret that the Government have not seen their way to meet the views of the Opposition in any degree. What we put forward was this—that the powers which this Bill gives of issuing inconvertible currency ought not to be given, at all events—

MR. W. E. GLADSTONE: Not convertible currency.

MR. GOSCHEN : Yes ; inconvertible currency.

MR. W. E. GLADSTONE : Inconvertible currency means an instrument that cannot be converted, but is made so by the law.

MR. GOSCHEN : I do not know whether hon. and right hon. Gentlemen have thought out the force of that definition ; but I think it will be admitted that generally speaking among financiers, in common parlance, the idea of inconvertible currency is a currency that cannot be converted into gold or silver when desired. However, the right hon. Gentleman objects to my words, and I will, therefore, put the matter into the plainest possible language. Under this Bill, the Irish Government will have the power of issuing any number of bank notes without holding any reserve of gold or silver for it. The right is to be given to this Government to issue paper money without its being represented by specie. I think that is a power which it is dangerous to give, not to Irishmen alone—for I do not suspect them in this case—but a Government which is likely to be in financial difficulties. ["Oh !"] Hon. Gentlemen below the Gangway say "Oh !" but I thought that was their view.

MR. FLYNN (Cork, N.) : You argue the other way.

MR. GOSCHEN : I think it very likely that the Irish Government may get into financial difficulties, and that we shall not get from them what we ought to get. The Irish Government might find itself in difficulties, and it is suggested that provisions should be inserted in the Bill which would remove the greatest part of the danger which we foresee. My right hon. Friend is opposed to the proposal not only from an English or an Irish point of view, but because he has an old quarrel with the issues of £1 notes in Scotland, and a still greater quarrel with the issues of private banks in this country. These banks defeated my right hon. Friend—I regret they did defeat him—a good many years ago, and he has since some prejudice against the existing banking system. But I think it will be a surprise to the public to hear from my right hon. Friend that we have a bad banking system, and that he looks to the representatives of the tenant farmers of

Ireland as more likely to establish a sound system of currency than the Imperial Parliament with all its great traditions, and under his own guidance. I cannot bear to hear my right hon. Friend always attacking his own reputation, because if the English banking system is bad why is it that we are not in a better position, considering that my right hon. Friend, apart from the question of private issues, has had universal power during the last 50 years ? No doubt during the last few years my right hon. Friend has been very much occupied with other matters ; but he has had greater opportunities than any other man in the House to carry out improvements in the banking system.

MR. W. E. GLADSTONE : I think our banking system is admirable.

MR. GOSCHEN : But my right hon. Friend used the very words that we might, perhaps, take lessons in banking from the Irish Legislature. That is an attack, not only on the Parliament, which he now frequently indulges in, but an attack on my right hon. Friend's own past. But there is another consideration. What is to be the position of this country and of Scotland if Members from Ireland are to vote upon the English and Scotch currency system, while English and Scotch Members will not have power to interfere with the Irish currency at all ? This might be done. In England and Scotland we may sustain the present system by the help of the votes of the Irish Members, while that very same system might be abolished in Ireland by the influence of the very same gentlemen ; for while my right hon. Friend is anxious to give the Irish Members an entirely free hand to deal with the currency and banking system in Ireland, he will allow 83 of them to come over here, and perhaps affect by their votes the position of the Bank of England with which they would not be connected in any way. I can understand that each country should have power to deal with its own currency ; but that Ireland only should be allowed to deal with its own currency, and that England and Scotland should be placed in a disadvantageous position in respect of theirs as compared with Ireland, is a thing I cannot understand. If this Bill should not pass, and Her Majesty's Government should introduce another, I hope they

will consider how the question of the currency may be dealt with in a manner less open to objection.

\*MR. VICARY GIBBS said, he wished to have the ruling of Mr. Speaker on a point of Order. It was whether he was in Order in referring, as he had done a while ago, to a speech made in Committee on the same question?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.) had objected to the hon. Member's remarks as being out of Order, and for the guidance of their future discussions he desired to have a ruling of Mr. Speaker on the point.

MR. SPEAKER : The practice is not to refer to previous Debates on other subjects in the same Session ; but it is in Order to refer to previous Debates on the subject. It is a question of degree. The hon. Member referred in detail to a speech at great length, and in doing so he was scarcely within the rule of Order.

\*MR. H. H. FOWLER : My reason for calling "Order" was that the hon. Member was replying to a speech delivered in Committee, item by item and argument by argument, and I submitted that that was not in Order.

MR. COURTNEY (Cornwall, Bodmin) said, that he had not taken part in the discussion of this point in Committee, not because he had had no sympathy with the Amendment, but because he had looked forward with hope to the exclusion of the Irish Members from the Imperial Parliament under Home Rule ; and, under these circumstances, he had felt some difficulty in asserting that the Irish Legislature should not have the power of dealing with the currency in their own country. But, the proposal to exclude the Irish Members having been defeated, they were now to proceed on the basis that the Irish Members were to remain in the House ; and, that being the case, the point was whether the question of currency in Ireland should be referred to the Imperial Parliament, of which the Irish Members were to form a part, or to the Irish Legislature alone. With respect to the Motion he felt some difficulty. The hon. Member proposed to omit "legal tender" in order to insert "currency." He thought it difficult to exclude legal tender, although there was no difficulty in including currency in the excluded sub-

jects. The Irish Legislature might have power to determine what was legal tender without having any power to deal with currency. They might have an unlimited power of making silver money legal tender ; but he doubted whether his right hon. Friend the Member for St. George's (Mr. Goschen) would think that that was a reasonable power to give to the Irish Legislature. Let legal tender remain, and then the question arose whether currency should be added to the subjects with which the Irish Legislature was not to deal?

MR. GOSCHEN : I look upon the word "currency" as including "legal tender." It will include any notes that would be legal tender.

MR. COURTNEY said that, in his opinion, currency did not include legal tender. But the question raised by the Amendment was whether the Irish Legislature should have the power of regulating the currency. The Prime Minister based his opposition to the Amendment on two grounds : first, the difficulty of making the currency of the three portions of the United Kingdom uniform ; and, secondly, his own difficulty in completing Sir R. Peel's Act when he was defeated on the Bill he laid before Parliament in 1867. But the fact that they had not been able to make the currency of the three portions of the United Kingdom uniform was no reason why they should not press on to that end. Up to the period of the Civil War in America the note issues were regulated by each State, the laws varying from State to State ; and the consequence was that a very considerable amount of confusion was produced in the internal trade and commerce of the American Union. It was the war legislation which provided national banks and greenbacks, and the national banks did then, for the first time, create a uniform system of currency throughout the American Union. Why should not we strive to make the law of the United Kingdom the same in all its parts with respect to the issue of notes? The Prime Minister referred in severe terms to the opposition that the bankers who had privileged issues brought to bear against the Bill of 1867. The right hon. Gentleman could never forgive those unfortunate bankers for having rallied their forces so strongly as to

defeat that Bill. But he must know that the position or attitude of private bankers, joint-stock bankers in England having privileged issues, was very different now from what it was in 1867—that a large number of such bankers had abandoned their privileges, and that it would be a comparatively easy matter now to take steps which should altogether get rid of the private privileges with respect to issue which were still enjoyed by the surviving bankers, and to establish, as far as England was concerned, a really State-regulated currency. He thought it might be possible, moreover, to bring Ireland and Scotland into the same system. What he conceived to be the real danger which would arise in Ireland in regard to this matter if the Bill became law in its present form was that probably something would be done in imitation of the national bank system in the United States, leading, perhaps, to a depreciated currency, which would operate very much to the injury of Ireland and the disorganisation of her trade with Great Britain. He did not see why the Irish Members should object to work with other Members in an effort to obtain a uniform law for the whole of the United Kingdom as to the issue of notes. The difficulties in the way of getting uniform legislation on this subject from the Imperial Parliament affecting all parts of the United Kingdom were not, in his judgment, so serious now as they had been, and he thought it might be obtained in a reasonable time, and in a manner which would be satisfactory to each part of the United Kingdom. It was certainly inadvisable that there should be a separate system of currency in different parts of the United Kingdom. He would support the Amendment if it were altered to include legal tender.

\*MR. COHEN (Islington, E.) said, he would not have the boldness of venturing to decide whether currency included legal tender or not; but they were desirous of depriving the Irish Legislature of the power of dealing with currency as well as legal tender, and he had the authority of the hon. Member for St. Albans (Mr. Vicary Gibbs) for saying that he would prefer to vary his Amendment so as simply to add the word "currency" to the words "legal tender." He had heard the speech of the Prime Minister with great surprise. Over and

over again the right hon. Gentleman had told them that the object of the Bill was to give Ireland the control of matters entirely affecting her domestic affairs, and to reserve to the Imperial Parliament all subjects affecting International relations. He could conceive no question—and he had some little experience in International Exchanges—which could more affect the International relations of a country than its currency. For his own part, he would prefer to withhold both legal tender and currency from the Irish Legislature; but if he had to make a choice he would give the Irish Parliament power to control legal tender, and certainly reserve to the Imperial Parliament, in the interest of Ireland itself, absolute, complete, unfettered control of the currency. The currency included paper money, and he ventured to say that no greater disaster could overtake a country than a depreciated paper currency. It was perfectly certain that if, no matter for what reason, there was to be an inflated and depreciated currency in Ireland, every farthing of gold or silver or other metal available for the currency would automatically and irresistibly leave the country, and this would possibly lead to a state of things from which Ireland would suffer terribly. It was, therefore, in the interest of Ireland that he urged the acceptance of the Amendment.

\*MR. R. B. MARTIN (Worcester, Droitwich), who was most imperfectly heard, was understood to say that the danger would be in regard to the concessions to banks all over the country for note issue, a system which, to a large extent, they had got rid of in England. Note issue by private banks was a very useful form of currency, but one that was dangerous for new Governments and opposed to the present doctrines of political economy. He thought there would be a great temptation to raise money by making concessions to banks for power to issue notes—a temptation that was not altogether for the good of a country. It was, probably, not generally known that in Scotland and Ireland there was no legal tender but the English sovereign. The £1 notes, which were so convenient in form and amount, and some of them so objectionable in personal appearance, were not a legal tender; and though universally accepted by the country as

*Mr. Courtney*



being as good as a sovereign, they had had experience in Scotland that that was not always the case, and when there was some doubt and difficulty about accepting the notes of Scotch banks as sufficient. In Ireland it would be most inconvenient to the trade, and a source of great anxiety, if there was power granted to issue bank notes in one part of Ireland and power refused to issue them in another portion. He, therefore, hoped the Government would accept the Amendment, and not allow these difficulties to be introduced into Ireland. He hoped that the Government would include currency as well as legal tender in the exemption, leaving both of those matters to be treated by the Imperial Parliament, and not by any local Government set up either in Ireland, Wales, or Scotland.

MR. A. J. BALFOUR (Manchester, E.): My right hon. Friend the Member for Bodmin (Mr. Courtney) has startled us all by suggesting the doubt whether this Amendment carries out the meaning it had in the minds of my hon. Friend who moved it, and us who intend to support it. My right hon. Friend seems to think a case might arise in which it would be possible for the Irish Government to deal with legal tender without dealing with currency, and the particular case he put forward was—could they not consider their currency a legal tender for all parts? I am advised that that would be a case of dealing with the currency; that in reality the words proposed by my hon. Friend not only carries out the meaning he wishes, but preserves the old meaning the Government desire to give to the Bill. I admit this is a question chiefly for lawyers, and that no general agreement of interpretation can, therefore, be accepted; but I hope that my right hon. Friend will not abstain from supporting this Amendment on the very doubtful ground he has taken, because, by the Rules of the House, I believe it would not be possible to substitute the new forms he suggests, and which, I am ready to admit, more satisfactorily carry out the object in view. Well, Sir, I leave that which is the question affecting the limitation of the Amendment, and come, in the few words I mean to make, to the line taken by the Government on this question; and I cannot help having a dark suspicion that the pledge or the

undertaking given by the Chancellor of the Exchequer was, perhaps, not very seriously considered between the day on which he gave it and the day on which it is to be redeemed. I do not greatly blame the Government, for I admit that occasionally I am brought face to face with some hasty observations of my own on previous stages of the Bill, and I do not wish to unfairly criticise or make any observations approaching bad faith as to the line they have taken; but I am forced to believe they have not very carefully considered this question, because, from the whole speech of the Prime Minister, it is perfectly evident, not that he did not see we had a legitimate object in view, but thought this Amendment, if carried, would produce certain advantages of which he did not approve. He laid it down the Irish Government should be allowed to deal with the question of note issue from private banks—if you carried this Amendment it would prevent them. I will not argue the question whether the Irish Government ought to have that power; but I think it is arguable whether they should have that power; and if the Government had devoted much time and attention to this question, they could have found a method that would have left the Irish Government power to deal with this question of private note issue in Ireland and prevented them making that unlimited issue which, if not a legal tender, would be a customary tender, and which is the main danger we have to anticipate. So far as I recollect the speech of the right hon. Gentleman at the head of the Government, he did not touch on the danger of this unlimited or excessive note issue; yet does not the whole history of the world, and the history of Ireland in particular, show that is a danger from which they may not have immunity? The right hon. Gentleman is fond of crediting the Irish people with special capacities for government—

MR. W. E. GLADSTONE: With great capacity for self-government.

MR. A. J. BALFOUR: Then with great capacity.

MR. W. E. GLADSTONE: I merely protested against placing them on a level lower than that of human beings.

AN hon. MEMBER: Hottentots.

MR. A. J. BALFOUR: Hottentots are human beings, but I am not aware what the lower order of animals have to do with note issues or bank currency. I may be permitted to say that I do not think that what we know of Irish history indicates that they have exceptional aptitudes in the direction of commerce or trade. Their great gifts—and they have great gifts—lie in a less prosaic direction; and when the Assembly of this almost purely agricultural country has to deal with these questions of currency and tender, I do not see any reason for anticipating they will show greater wisdom than has been shown by their forefathers. Then let it be admitted, as it must be admitted, that if this Bill passes as it stands, it will be in the power of the Irish Government to make their note issue a customary issue, an issue which the habits and traditions of the people will make them readily accept as money, and make that either absolutely inconvertible or, it may be, far in excess of any metallic basis which may rest as the foundation of the note issue. If they did this Ireland would suffer from all the evils necessarily incident on convertible currency. So far as the great commercial interests of Belfast and Dublin require protection—so far as this country is concerned—if there was not an excessive currency, it would produce nothing but local injury, and they might be allowed to work out their own salvation in these matters, and go through a little experience of the local views of this question. But it would not be a local injury; an injury of this kind must spread to Great Britain, and would not only spread to Great Britain in the form of an interference with the trade between the two Islands, but probably would come before us in a far more concrete and dangerous form; and I certainly anticipate that now you have brought the Irish 80 Members into Parliament, if they find themselves in their own country face to face with the probable consequences of their own imprudence in these matters, they will come to us for relief. They will point out with perfect truth that it is not to the interests of the United Kingdom that one of its members should be insolvent; that it was an injury not to Ireland merely, but to Scotland and England, and they would say to you—“You, with your

great wealth behind you, must come and help us in our difficulties. We acted for the best, but they have not come up to our anticipations, and we ask you to relieve us.” You would have to relieve them, and the result, therefore, of leaving to the Irish Legislature an unlimited power of dealing with a customary note issue—a power they would have a temptation to abuse—would be, in the long run, to inflict an injury not confined to Ireland alone, or to the commercial interests of England and Scotland, in so far as they are dependent on Ireland. The evil we should have to deal with within these walls, and it would touch the pockets of every taxpayer in Great Britain.

Question put.

The House divided:—Ayes 187; Noes 145.—(Division List, No. 270.)

\*MR. VICARY GIBBS moved the following Amendment:—

“Clause 3, page 2, line 23, after ‘legal tender’ insert ‘bills of exchange.’”

The hon. Member said that, although this Amendment was perhaps not so important as that upon which the House had just divided, yet he was convinced that if it were not adopted serious inconvenience to, and restrictions on, trade might follow. Bills of exchange at the present moment were governed by the Act of 1882, which codified the law and made it uniform throughout the Three Kingdoms; and it appeared to him, if this Amendment were not accepted, it would be in the power of the Irish Government to take a retrograde step against the interests of the general trade of the Three Kingdoms by making alterations in the law relating to bills of exchange, and so destroying the uniformity which they had been at so much pains to obtain, which had done so much to stop litigation on that complicated subject, and given so much satisfaction to the commercial classes. The Prime Minister said it was necessary that uniformity of Commercial Law should prevail throughout these Islands. If they had a separate Parliament for Ireland he (Mr. Gibbs) was sure it would not prevail, but, at the same time, he considered it their duty to make it prevail where it was at all possible to do so. When the attention of the Prime Minister was called to the

remarks to which he had referred, the right hon. Gentleman implied that these bills related to internal trade, and that what he had said had nothing to do with internal trade. But that was in contradiction to the remarks of the Chancellor of the Exchequer, who, when certain inconveniences were pressed upon him that might result from alterations of the law in Ireland, pointed out that the Irish Government were prohibited from dealing with any matters of trade outside Ireland, so that this prohibition would apply to exchange of bills if they were matters of trade outside Ireland, as he (Mr. Gibbs) believed they were. They might be, as the Prime Minister had implied, matters of internal trade, but they were not purely matters of internal trade. What would be the position, if this Bill became law, of the holders of bills of exchange, whether drawn in Ireland on England or in England on Ireland? They had two classes of bills—English and foreign bills. They knew perfectly well when they were holders of either one or the other what their position and rights were. Bills after they were drawn and accepted were discounted and re-discounted, endorsed and re-endorsed, and they formed one of the principal features in modern commerce. What he wanted to know was, whether the Government had thought this matter out, and considered what inconveniences and disadvantages might arise if the Irish Government were to be allowed to deal with the laws as to bills of exchange as separate from the laws of the United Kingdom on the subject? Take the case of a bill drawn in Cork on London. The Irish drawer drew on an English acceptor and discounted the bill. The discounter now took into consideration not merely the credit of the English acceptor, who was the first person he could go against to recover the money expended in discounting the bill, but also the credit of the Irish drawer, whom he knew he could afterwards go against if the acceptor failed. But what would be the position suppose the Irish Government passed some law which had the effect of making it easier for the Irish drawer to escape his ultimate liability under the bill? Suppose they were to say that something should constitute *laches* in the action of the holder of a bill in endeavouring to recover

from the acceptor, and that something should release the drawer which did not release him now, the effect of that would be to make Irish bills drawn in Ireland on England of a different character from an ordinary inland bill; they would thus be less acceptable to the discounting houses, and consequently tend to restrict trade between England and Ireland, and would injure, *pro tanto*, the two countries. Take, again, a bill which was drawn in London on Dublin. The drawer drew on the man in Dublin, and then discounted the bill. When the time came for the due date of the bill, the holder sent the bill to Dublin in order to collect the money. Supposing that the money was not paid; that some Irish law was passed, and that under this law the holder, in the process of endeavouring to recover against the drawer, failed to do something, or did a thing which he should not do, and which again constituted *laches* according to the view of the Irish law on the subject. The effect of that would be to release all the solvent endorsers of the bill, and let them go free. If the Irish Parliament had a right to alter the law of bills of exchange, they might make such alterations as would put these bills of exchange in a different position from ordinary English bills, and thus constitute a third class of bills which City men would have to consider and learn all about. He could not see why the Government should not accept this Amendment. When the matter was discussed in Committee this subject of bills of exchange was coupled with the question of Irish banks, which were both put in one Amendment so as to save time. It appeared to him that there was an infinitely stronger case for depriving the Irish Legislature of the right of interfering with the law on bills of exchange than of depriving them of the right of legislation with regard to banks. It would be a great disadvantage to the commercial classes in England if an Irish Parliament were to be allowed to legislate separately on this matter. The Government might say that if the Irish Parliament altered the law, those who were interested in the matter should make themselves acquainted with the alteration. It was quite enough for them to be expected to know their own law, without being compelled to follow any operations of the law in Ireland connected

with bills of exchange. When speaking on this subject in Committee the Chancellor of the Exchequer said the exception of trade was an exception from the powers of the Irish Legislature which would be operative upon both classes of bills; and if the matter were connected with trade, as that was excepted, it would prevent it being acted upon by the Irish Legislature. Such being the case, he could not conceive any reason for the Government declining to accept the Amendment, which was certainly not in any way injurious or insulting to the people of Ireland. There was a much stronger reason now for its acceptance than there was when it was originally introduced, for since then a radical alteration had been made in the Bill. It had been decided that they were to retain the Irish Members in that House. These Irish Members would be able to express their opinions on the matter, point out any alterations in the law which would be of advantage to the people of Ireland, and their representations would have due weight in that House. He hoped, therefore, the Government would re-consider their position in the matter. He begged to move the Amendment.

*Amendment proposed,*

In page 2, line 23, after the words "legal tender," to insert the words "bills of exchange."  
—(*Mr. Vicary Gibbs.*)

Question proposed, "That the words 'bills of exchange' be there inserted."

**MR. W. E. GLADSTONE:** I regret that the hon. Gentleman has found himself compelled by a sense of duty to raise anew this question, which was fully debated in Committee, notwithstanding the recommendation from the Chair that questions disposed of in Committee should not be revived unless in the case of principal points. I hardly suppose this will be said to be a principal point, and I am very sorry a recommendation from the Chair, in other circumstances so powerful, appears to be of very small value when it tends to expedite, or at least to relieve from the snail's pace—which appears to be the intended law of proceeding—the progress of the Bill. However, Sir, I will say a word or two in answer to the hon. Member. I think he has urged no argument whatever which ought to induce the Government to alter the Bill. His argument with

reference to the unlimited vote of the Irish Members would, if admitted, be an argument for withdrawing one by one all the powers conferred on the Irish Legislature by the Bill. The Bill has already been affirmed in principle, and Amendments like this seem intended to destroy it in detail. As to bills of exchange they are really a portion of internal trade. The first aspect of a bill of exchange is that of an instrument intended to facilitate internal commerce; and although the use of bills of exchange in foreign matters has become most important, and for all I know possibly predominating, yet that was not their original purpose. As regards inland bills of exchange, they are matters wholly, absolutely, and purely Irish; yet the hon. Gentleman seeks by his Amendment to take them out of the hands of the Irish Legislature. We have assented to withhold from the Irish Legislature the management of matters connected with foreign trade, but we cannot assent to the management of internal trade being withheld. To show how a question of this kind allies itself with the general question of self-government, I may point out that a few years ago we found it expedient in this House to introduce in our laws a system of what were called Bank Holidays, and they rest upon this legal basis: that bills of exchange presentable on days that are Bank Holidays are not to be paid on those days, but on the day following. Suppose that in Ireland the Irish Legislature were disposed to make any law of its own relating to Bank Holidays—and that, I presume, will not be considered a very startling or revolutionary proceeding—they would not be able, if this proposal were adopted, to make those laws. Under the Amendment they would not have the power to provide that bills payable on those holidays should stand over till the following day. The Amendment constitutes a pure and gratuitous innovation on the idea of self-government which the Government intend to apply to Ireland, and which the House, by repeated votes on questions of principle, intends to apply to Ireland. With regard to foreign bills, the whole argument of the hon. Gentleman proceeded upon the invidious—to use no stronger term—suggestion that the Irish Legislature would exercise its ingenuity to devise

*Mr. Vicary Gibbs*



means to enable debtors to evade meeting their obligations, and upon that Christianlike supposition the hon. Member draws the inference that great inconvenience would arise to creditors of Irishmen who had the misfortune to live under a swindling Legislature. My point is that the hon. Gentleman has no right to impute anything of the kind to the Irish people. In my opinion the Irish, taken upon the whole, have been singularly remarkable for their willingness to meet their pecuniary obligations and for the sacrifices they have undergone in order to do so. I do not think there is any other country equal to Ireland in that respect. But putting that imputation aside, the same difficulties to which the hon. Gentleman refers are to be met with in the case of bills payable in France and other foreign countries. The hon. Gentleman said it was hard enough to know the law of his own country; but does he not require to know the laws of France, Holland, Germany, and other foreign countries and the law of every colony? I do not believe the hon. Gentleman has lost an hour's sleep in his life through any difficulty arising out of a want of knowledge on that point. The truth is, that it is the strong desire of every State on the face of the earth which pretends to civilised methods to forward and promote the use of these bills, and all have tried to construct a system under which their bills should work and run throughout the world. Why should Ireland be made an exception? Why should it be supposed that Ireland should endeavour to put a stop to a system which gives easy currency to bills of exchange? Notwithstanding the multiplicity of systems, no practical inconvenience exists or has ever been experienced since the Lombards invented their splendid system. The Government cannot accept the Amendment of the hon. Gentleman.

**MR. GOSCHEN:** I regret that my right hon. Friend should, whenever a speech is made on this side of the House—especially if it is a speech of some detail going fairly and frankly into the whole matter—endeavour to create a prejudice against that speech by such observations as he is continually making, trying to arouse Irish feeling against what is said on this side of the House. Was it necessary in a case of the kind, dealing with

so dry a subject as bills of exchange, that my right hon. Friend should endeavour to exaggerate and put into the mouth of my hon. Friend behind me charges against the Irish people or the Irish Legislature which he never made, and which he never thought of making? My right hon. Friend has got the idea on the brain that in everything we say we are running down Ireland, and there is not a single point he can treat except from that view. And here, again, I will join with him if he wishes in commending the desire of the Irish people to pay their debts. But why dwell upon this as in contrast to Great Britain? It is as if the right hon. Gentleman had become so absolutely not the Prime Minister of England, but the advocate of the Irish people, that he can see nothing good in the English Parliament, nothing but what is offensive in the speeches of hon. Members on this side of the House, and nothing here which would afford a fair precedent for the Government which he proposes to establish in Ireland. I really regret that my right hon. Friend should have thought it necessary on this occasion to endeavour to create that feeling which, I am sure, most of us are not anxious to import into this discussion. Then my right hon. Friend censured my hon. Friend behind me, and alluded to observations from the Chair that it was undesirable that the same matters should be repeated again on Report which had been dealt with in Committee. I think that the number of Amendments on Clause 3, compared with the Amendments in Committee, will show my right hon. Friend that there are comparatively few matters that have been urged again. To-day we have urged two matters over again—namely, the questions of currency and bills of exchange. And why? Because in the case of currency the Chancellor of the Exchequer had given us some hope of amendment—not very definite, but which justified us in raising this point again, and I do not think we have dealt with it at great length. I will tell the Prime Minister why we have urged this point as to bills of exchange. We thought on the last occasion that we had almost converted the Government, and we thought that one little push more might really bring the Prime Minister to accept the Amendment. I believe there are many of his

hon. Friends behind him who would be glad if he would accept this particular Amendment, and I know there are few points on which I should like to pit myself in argument against my right hon. Friend, but I do say this: Before any trading constituency—not in the City of London, but any trading or commercial constituency in England or Ireland—I will argue that it is desirable to keep this subject of bills of exchange to the Imperial Parliament, and my right hon. Friend would not be able to convince his audience to the contrary. My right hon. Friend says this is an Amendment in a concerted movement. Surely my right hon. Friend will see that this is an Amendment which does not touch Ireland alone, but touches the relations between Great Britain and Ireland. My right hon. Friend has himself admitted that the question raised by the Amendment touches the relations between Great Britain and Ireland. He has told us that there are certain questions which should be either given or taken. We must either include such matters in the Bill or leave them as matters to be dealt with between the two countries. We say that it would be more convenient for all parties that legislation on the subject of bills of exchange should be left in the hands of the Imperial Parliament. By dealing with the question in this manner, I think it will be seen that no right of Ireland would be affected in the least. Surely the supporters of the right hon. Gentleman will see that it is desirable to have some general law in regard to bills of exchange. They must be aware of the tendency of all commercial countries to come to an arrangement, and to secure International agreement upon these topics. It is unfortunate that the system should be different in parts of Europe and America; but the whole tendency, as I say, has been for the codification of the law of bills of exchange. Simplicity in these transactions is a matter to which all traders attach the greatest possible importance; and I cannot help thinking that if my right hon. Friend were not so wedded to the idea that any change in the Bill might be derogatory to Ireland, he would see that, in the general interest of trade, this is a matter which ought properly to be confided to the Imperial Parliament. I do not argue the point from the idea that

*Mr. Goschen*

the Irish Legislature would do wrong in the matter; but, looking to the commercial transactions between the two countries, and to the general tendency to consolidate the law, I believe it is better that the Amendment should be adopted. If it is insulting to a country not to have the right to legislate on this subject, if this Bill should pass into law, England and Scotland will be in that position, for English and Scotch votes will be overruled by the Irish. I do not, however, put it on that ground, but on general grounds. I say this is a case in which the Government might yield. I know for a fact that there are certain traders, supporters of Her Majesty's Government, holding the same general views as right hon. Gentlemen who, in matters of this kind, deeply regret that there should be any possibility of difference upon this class of legislation. There is, I repeat, nothing insulting to Ireland in the Amendment which has been moved, and I say with what I believe to be the greatest truth and conviction that I think it is desirable to have the most uniform legislation for the three countries that circumstances will permit.

\*MR. JACKS (Stirlingshire) said, there was one matter that he would like to point out to the Government which he thought, if it occurred—he did not say that it would, but if it did—would cause very great confusion. They had a three days' grace in the payment of bills of exchange. That was no doubt an absurdity and an anomaly which every thoughtful business man deplored. What he wanted to point out was that when the Irish Legislature was established—and he spoke with a knowledge of the business capacity and ability of Irishmen—it might, and likely would, pass an Act doing away with this anomaly. If that occurred, and if a bill were drawn by a trader in Ireland upon another in Ireland or elsewhere, and made payable in London, it might not be presented on the day upon which it was due, but after the three days of grace had expired; and if it was then dishonoured, it would have to be followed to its source. What would happen then? Would the question be tried by British or by Irish law? If by Irish law, the result was clear as to what would occur. He did not say that the Judges in Ireland would be incapable of dealing with the matter, as

in the case of foreign bills. Those who knew how the matter stood as regarded foreign bills knew that there was a difficulty; and he thought they would see that, although the matter as regarded Ireland would be cleared up, still there would be great trouble and inconvenience, to which the trader should not be subjected. It occurred to him that this was not covered, owing to the vagueness of the Amendment. The question to which he referred differed from that of banks, and he would like to know whether the Amendment could not be accepted in a form dealing with "bills of exchange payable out of Ireland"? That, he thought, would give the Irish power to deal with their own bills of exchange, and, at the same time, avoid the inconvenient results to which he had referred.

\*MR. R. B. MARTIN (Worcester, Droitwich) said, the question involved was one of the greatest importance. They wanted to have it clearly laid down how trade was to be affected, and to be able to consider whether any difficulty was likely to arise. They knew what the difficulties were in the matter of foreign bills. Were these bills to be subjected to the Irish Legislature, and to be treated as foreign bills in England, or were they to be treated as part and parcel of English bills? If they had an answer to that question they would know where they were. The question of the stamps on bills of exchange was one that would intimately affect the Chancellor of the Exchequer both of this country and of Ireland. He hoped the Government would make the matter clear to the House and to the country.

\*SIR A. ROLLIT (Islington, S.) said, he hoped, notwithstanding what the Prime Minister had said, the Government would even yet give consideration to the claims of this Amendment, or to the modification of it suggested by the hon. Member for Stirlingshire. He put forward this expression of hope on the ground of uniformity of action, for sake of which he had already voted against his own Party. The very gravest disadvantage would arise if this were not done. The Prime Minister said this was not one of the principal points of the Bill. Commercially, he thought it was a very essential and organic detail of the Bill, and he appealed to the arguments adduced to demand from the Government

some re-consideration of the matter. He knew that upon this, as upon some other details of the Bill, there was the very strongest feeling on both sides of the Channel. It was felt that there should be no variation from commercial practice, and that there should be security against a departure which would result in great disadvantage. One point had not yet been raised—that bills of exchange were creations of commercial custom, of the growth of commercial experience, and they must be guided by mercantile practice, which was joint between the two countries. They would see, therefore, that there was great danger in making any departure from that. A Member of the Government had said in a previous Debate that they should not deal with internal matters; but bills of exchange were matters of external trade. The Bill itself reserved such matters. He disliked the term "foreign" in relation to Ireland; but he doubted whether external bills would be within the purview of the Bill. He thought it ought not, at all events, to be left in doubt. The Prime Minister's observations with regard to the treatment of Ireland struck him as being out of place. It was very unfortunate that anything should be said which could enlarge the feeling of difference in both countries and in that House. They should do what they could, where it was possible, to come nearer a solution, and, if they could have security for joint action, an obligation rested upon them to endeavour to obtain it by both speech and act. This question was, he submitted, a commercial one, and from that point of view it was desirable they should have uniformity. He had, as he said, voted with the Government on similar grounds on another question, and he was of opinion that uniformity should be established here. Even in a modified form the Government should accept the Amendment and embody it in the Bill.

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.): I may say, Sir, in reference to what my hon. Friend who has just sat down has said, that I should be only too glad if any settlement of this question in the direction contended for by him would make any substantial advance towards agreement upon the vital matters involved in the Bill. Unfortunately, while the Government are

engaged upon what we believe to be an important legislative structure, hon. Gentlemen opposite, from conscientious motives, desire to overthrow that structure, and avowedly propose all their Amendments with that object. It is suggested that in this case the Irish Legislature would proceed to do away with the three days' grace. I do not think it is at all likely they will do so. It would not be in the interest of Irish traders. The case is put of a bill payable in London, and it is said that, owing to the abolition of the three days' grace, the bill might not be presented in time; but the conditions of that transaction would not be regulated by the Irish Legislature. In the case of a bill payable in London the law of the place would prevail; and if an action ensued, as the hon. Member for Stirlingshire (Mr. Jacks) now suggests, while Irish law might apply to the contract, payment would be regulated by the law of the place of payment. Therefore, Irish legislation would not affect the matter. The hon. Member below the Gangway (Mr. Martin) wishes to know if bills drawn upon Ireland were to be considered as foreign bills? Certainly not. Ireland would not be a foreign country, and will not be called such when this Bill passes. It will still be a part of the United Kingdom, and bills drawn upon Ireland will be inland bills. Any question as to the stamp duty in respect of bills drawn in Ireland will arise equally in the case of foreign bills. The Irish Legislature will not have any interest in legislating in a direction which would depreciate the value of their own negotiable securities; on the other hand, they will have every reason for making those negotiable securities as valuable as possible in the commerce of the world. Therefore we think this is not an Amendment which ought to occupy the time of the House.

\*MR. MATTHEWS (Birmingham, E.): After the admission of the hon. and learned Gentleman, the question at issue is one of small dimensions. It was admitted in Committee by the Chancellor of the Exchequer (Sir W. Harcourt) that if a bill were drawn in Ireland and accepted in England that was a bill about which the Irish Legislature could not legislate at all. After a good deal of pressure the Chancellor of the Exchequer also admitted that if a bill were drawn in

London upon an acceptor in Ireland, or even if it were payable out of Ireland, the Irish Legislature could not deal with it. So that all the invective of the Prime Minister applies simply to legislation applicable to the narrow class of bills drawn in Ireland upon an acceptor in Ireland and not payable in England. But a bill drawn in Ireland and accepted in Ireland may be endorsed in reference to a trade transaction in England. In what category would such a bill fall? Would it be a bill respecting which the Irish Legislature could not alter the number of days of grace? By the Bill as it stood, a large class of bills of exchange in which Irish traders were interested were taken out of the purview of the Irish Legislature. [Mr. W. E. GLADSTONE dissented.] I see the Prime Minister shakes his head, but I doubt whether the right hon. Gentleman was present in Committee when the Chancellor of the Exchequer accepted that position. But the Chancellor of the Exchequer did not deal with the third class of bills accepted in Ireland and payable in London, but the Attorney General has admitted this time—

SIR C. RUSSELL dissented.

\*MR. MATTHEWS: Then the Attorney General is a most illogical person. The Chancellor of the Exchequer had not honoured them with his presence during this Debate, and it was a little inconvenient that in his absence they should be met by observations from the Treasury Bench to the effect that the Chancellor of the Exchequer had not known what he was talking about on the previous occasion. Was a bill drawn in Ireland and accepted in Ireland, but payable in London, a transaction with "a place out of Ireland," or not?

SIR C. RUSSELL: No.

\*MR. MATTHEWS: Then, commerce with England was not trade with a place out of Ireland. That was the exact opposite of the admission of the Government in Committee, and it showed how necessary this discussion was. They had proved that the Government did not agree among themselves as to what the Bill meant. The Chancellor of the Exchequer said one thing in Committee, and the Attorney General absolutely denied it on Report. That was not a satisfactory state of things, and it made it all the more necessary to press the Amend-

*Sir C. Russell*



ment. It was unnecessary to urge the enormous importance of uniformity in trading matters between the three parts of the United Kingdom. Did they mean to attach to transactions with Ireland the disadvantage which notoriously attached to transactions with foreign countries? It was absurd to say, as had been said by the Prime Minister, that in these matters the Opposition were treating the Irish Legislature as a swindling Legislature. [Mr. W. E. GLADSTONE dissented.] The right hon. Gentleman did impute to his hon. Friend that he was dealing with it as a swindling Legislature. His hon. Friend did nothing of the kind. He merely pointed out the difficulties which every mercantile man knew were involved in dealing with a bill of exchange that was a foreign bill. Irish bills were foreign bills until 1882, and the Government were practically converting them into foreign bills again. One would have thought that, in the interests of Irish commerce, as well as of English commerce, they would have accepted the Amendment.

\*SIR C. RUSSELL said, he did not at all admit, as the right hon. Gentleman appeared to assume, that dealing with bills of exchange was legislating with respect to trade within the meaning of the 3rd clause. He had not said so, and did not think so.

\*SIR H. JAMES said, the Attorney General had stated that it was the desire of the Government to erect an edifice, and the desire of the Opposition to blow it up. Well, how they could blow up an edifice before it was erected he did not know. As a matter of fact, what the Opposition were doing was making sure, so far as they could, that the edifice, if erected, should stand upon a solid foundation. The Prime Minister had said that it was desirable that the great circle of trade should not be unduly interfered with. The Unionist Members agreed with that, and they were anxious to see that the law was framed so as to prevent the circle of trade breaking down. At the present moment, putting the statements of the Attorney General and the Chancellor of the Exchequer against each other, he had not the slightest idea what the state of the law affecting bills of exchange would be if the Bill passed. His only hope was centred

in the Solicitor General, who, if he would only bring his usual emphasis and clearness into play, might enable them to understand what distinction was to be drawn between the statement of the Attorney General and that of the Chancellor of the Exchequer. They could not control the law of foreign countries; but whilst they were delegating powers to the Irish Legislature ought they not to do their best to maintain uniformity in the customs prevailing amongst merchants in the different parts of the United Kingdom—ought they not to take care that the law of Ireland should not be altered as against the law of England, seeing such alteration would affect something outside Ireland as well as inside it? He could not see that this should be other than a business discussion. There was nothing in the matter affecting the honour of Ireland. He was asking that a business view should prevail, and at present he was confident that the greatest confusion would exist in the minds of lawyers, even of Judges, as to the interpretation of the Bill, and the greatest complications would be occasioned in business. He was certain the object of the Government must be to prevent such complications arising.

SIR R. WEBSTER (Isle of Wight) said, he was somewhat surprised that the Solicitor General had not thought fit to make some reply to the very moderate appeal of the right hon. Member for Bury (Sir H. James). He (Sir R. Webster) endorsed that appeal on two grounds. The Attorney General had expressed an opinion upon a matter of law—as he was perfectly entitled to do—and probably they might take it that his opinion on a point of law was of greater value than that of the Chancellor of the Exchequer.

SIR C. RUSSELL: What is your opinion?

SIR R. WEBSTER: That was not a fair observation to make. They desired to know the interpretation put upon the clause as introduced into the Bill. The question was not his view of the words; but whether there was any doubt about the meaning of the words. It was desirable that the matter should be explained, in order that the fears entertained in many quarters as to the powers of the Irish Legislature might be allayed. The

Chancellor of the Exchequer, in Committee, had made a distinct statement to the effect that the exemption of trade would be operative in regard to both classes of bills, the Irish Legislature being unable to legislate upon them. The Attorney General now came down and, in order to secure the clause on Report, threw overboard the view of the Chancellor of the Exchequer. He (Sir R. Webster) ventured to submit that there was one rule which, at least, ought to govern them in this kind of discussion; and although he could not hope to obtain the ear of the Prime Minister, he thought this rule was of more importance than endeavouring to import into the Debate the suggestion that the Opposition were prospectively imputing roguery or fraud to the future Government of Ireland. He referred to the necessity of having a definite statement from the Government when matters of this kind were under discussion. The Chancellor of the Exchequer had made a statement in Committee which might, and, no doubt, ought, to have had an influence upon the minds of hon. Members in recording their votes. But the clause was defended in Committee on one view of the law, and now, on Report, hon. Members had another and an entirely opposite view presented to them. That opposite view was given by one of the Law Officers of the Crown. Was it, therefore, unreasonable to appeal to the other Law Officer—who was present when the Attorney General gave his opinion—to confirm the view of his colleague? It appeared to him essential that, in order to allay the fears of the commercial community, there should be some authoritative announcement that the law regulating bills of exchange between Ireland and Great Britain should not be tampered with. With regard to the merits of the question, he should hesitate, as a lawyer, to express the opinion that the Irish Legislature would not alter the law in respect of bills drawn in Ireland; but when it was suggested that it would be impossible for the Irish Legislature to treat a bill drawn in England as a bill drawn in a foreign country, he pointed out that the words in the Bill were “trade with any place out of Ireland.” It was, therefore, by no means impossible that the Irish Legislature might apply to bills from England some

*Sir R. Webster*

of the conditions applicable to foreign bills. He had said enough to show that they ought to know on what horse the right hon. Gentleman the First Lord of the Treasury elected to ride when he desired to win in the Division about to take place. Was he going to abandon the law laid down by the Chancellor of the Exchequer, and elect to stand on that laid down by the Attorney General?

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, he did not rise to engage in the discussion. He had merely to say that every word that had been uttered by the Attorney General with regard to the point at issue had his entire concurrence, and he had no doubt that what the Attorney General had said expressed the real state of the law.

MR. COURTNEY (Cornwall, Bodmin) [*Cries of “Oh!”*] said, he would not detain the House for more than a few moments; but it appeared to him that the position now taken up by the Solicitor General, following the Attorney General, was in direct conflict with the Chancellor of the Exchequer, and it brought before the House the substantial as apart from the legal question at issue. The substantial question, as had been stated by the Prime Minister on a former occasion, was that the great circle of trade between all parts of the United Kingdom was to be a complete unity, and the right hon. Gentleman said that he would not consent to anything which interfered with the preservation of that unity. It was, no doubt, in view of that principle that the Chancellor of the Exchequer had spoken, seeing that if these bills between Great Britain and Ireland were in any way made subject to the separate legislation of the Irish Parliament that circle would be broken. It was now admitted that they were to be made subject to the legislation of the Irish Parliament so that the circle would be broken. Under the circumstances some further explanation was due from the Government.

Question put.

The House divided :—Ayes 156 ; Noes 190.—(Division List, No. 271.)

MR. HANBURY said, he rose to move to insert in Clause 3, after “trade marks,” the word “designs.” He did so because, although both the Solicitor General and the Chief Secretary had

given a distinct promise, when the matter was discussed in Committee, that they would bring up words on Report to meet the difficulties that were then pointed out, they had omitted to redeem the pledge.

Amendment proposed, in page 2, line 25, after the words "trade marks," to insert the word "designs."—(*Mr. Hanbury.*)

**MR. J. MORLEY:** We agree to the words.

Amendment agreed to.

\***MR. BUTCHER** said, he wished to move to insert in Clause 3, after Sub-section 10—

"Or (11), the raising of moneys for State, county, or borough purposes by means of any lottery or undertaking of a similar nature."

His object was to prevent the Irish Legislature from repealing certain existing Imperial Statutes, and from sanctioning a peculiarly demoralising form of public gambling. There were some people who would look with horror upon the proceedings at Newmarket or Monte Carlo, and yet would not regard public lotteries with aversion. He would point out that in the United States of America public opinion had formed itself into definite and strong lines upon this question. In every single State except two, special provisions had been introduced into the Constitution to prevent the legalisation of lotteries. He might be told that this was an imaginary danger. But if the Irish Government should be in very considerable straits for money, to meet the demands upon them both the Government and the Municipal Authorities would be certain to resort to this method of replenishing the Exchequer. At present lotteries were forbidden in the United Kingdom by a series of Statutes, beginning in 1698, and in the Preamble of an Act passed in the reign of William III. in 1698 the evils that resulted from the existence of lotteries were very strikingly specified, and such methods of raising money were prohibited as being "a common nuisance." This Act, however, had been infringed for State purposes at the beginning of the present century. Since then no attempt had been made to raise money by means of public lotteries in this country. Under the circumstances he

thought it not unreasonable to insist that the Irish Government should not have power to repeal the British Statutes so as to make legal lotteries which had been unlawful for the past 200 years. One of the worst features of the Bill was that it would enable the Irish Legislature to repeal British Statutes; and the object of the Amendment was to provide that, at all events, that should not be done in regard to one of the most pernicious, demoralising, and discreditable forms of gambling.

Amendment proposed,

In page 2, line 26, after the word "rights," to insert the words "or (11) The raising of moneys for State, county, or borough purposes by means of any lottery or undertaking of a similar nature."—(*Mr. Butcher.*)

Question proposed, "That those words be there inserted."

**MR. J. MORLEY:** There is, I suppose, no difference between the hon. and learned Gentleman and anybody else in the House in reference to the description he has given of the practice of a public resort to lotteries. Of course, we are all agreed on that point. He says that such a practice on the part of any State or Municipality is pernicious, demoralising, and discreditable. Exactly because such a practice would be pernicious, demoralising, and discreditable, we do not suppose for one moment that the Irish Parliament will be likely to resort to it. Why does not the hon. Member add all the other practices to which Governments of a lower type than we assume ourselves to be resort? Why does he not insist that the Irish Legislature should not make any laws permitting gaming, or allowing betting houses to remain open? Does he not see that to proceed to an enumeration of all these pernicious, demoralising, and degrading practices is a task beyond our competence? The Amendment is in the highest degree unsatisfactory from the hon. and learned Member's own point of view, as it ought to include a great many other things, whilst from our point of view it is entirely unnecessary.

**MR. RENTOUL** (Down, E.) said, he believed most firmly that when an Irish Legislature was established a lottery would be established. It seemed to him that what was done in several other Catholic countries might be done in Ire-

land. He understood that there was no objection in the Catholic Church to the establishment of lotteries. He knew the German lottery system, and was certain that a worse system could not possibly be established. It tended to upset almost everyone for a couple of months every year—almost everybody talked about it during that period, servants clubbed together to buy joint tickets, and the thing worked a great deal of evil. If the Irish Legislature did not want to have anything to do with lotteries there could be no objection to having the Amendment inserted in the Bill. Why should they ask to have their hands left free in this matter? It was another case of Sairey Gamp—

“Do not ask me whether I will take any or not, but put the bottle on the chimney-piece and let me put my lips to it when I am so disposed.”

He hoped the Government would reconsider the matter, and accept the Amendment.

MR. SEXTON (Kerry, N.) said, the hon. and learned Member who had just sat down had enriched a very generous speech with a most refined and scholarly quotation. But he (Mr. Sexton) ventured to confirm the opinion of the Chief Secretary, and to say there could be no difference of opinion among Members of the Nationalist Party in the House of Commons as to the impropriety of resort by the Government of Ireland to lotteries for the purpose of raising money. The hon. Member for Down (Mr. Rentoul) had no doubt, if a Legislature were established in Ireland, it would proceed to start lotteries to support services that ought to be maintained out of the rates and taxes. He seemed to hold that opinion because the Catholic Church in Ireland, being a poor and voluntary Church, and having no support from the State, occasionally employed bazaars for the purpose of helping charitable institutions. The hon. Member tried to establish some occult association between Catholicism and lotteries. Evidently what was working in the foggy depths of the hon. Member's consciousness was that because Ireland was a Catholic country it was more likely to establish these lotteries. The City of Hamburg was the chief supporter of the lottery system, and he (Mr.

Sexton) believed that city obtained more money than any other in the world out of lotteries, and much of it came from Protestant countries. Hamburg was itself Protestant, and, at any rate, the case of Hamburg decidedly disposed of the connection the hon. Member supposed existed between Catholicism and lotteries. He (Mr. Sexton) must say, as far as his observation went in matters of betting and speculation, the Teutonic races did not yield to the Latin races. The suggestion of the Amendment was that the Irish Government would raise money for State purposes by means of lotteries. Having legal power to raise money for State purposes by national taxation, was it likely that if there was a connection between Catholicism and lotteries the Irish Legislature would ignore the power of taxation, and resort to a device the effect of which would be that Catholics alone would raise money which Protestants would otherwise contribute to?

MR. BUTCHER (interposing) said, he had not argued that Catholics alone favoured lotteries.

MR. SEXTON said, the hon. Member had suffered from the zeal of his supporter (Mr. Rentoul) in this respect. The hon. Member for Down had certainly suggested that because Ireland was a Catholic country there would be a special tendency to resort to lotteries. He (Mr. Sexton) had only to add that if the Irish Government were so silly and unprincipled as to do anything of the kind the Imperial Parliament, in the first place, could veto the Bill, whilst, in the second place, it could at any time pass a Statute preventing it from continuing in such a course.

MR. H. PLUNKETT (Dublin Co., S.) did not think the speech the House had just heard was quite fair or ingenuous, the hon. Member for Kerry having imputed to the hon. Member for Down (Mr. Rentoul) certain statements which he (Mr. Plunkett) certainly did not understand him to have made. He was sorry the hon. Member for Northampton (Mr. Labouchere) was not in his because on the 8th of June, in *Truth*, he had commented not only on the use of lotteries in Ireland, but on the circulation of Irish lottery tickets in England, and had said what the teaching of the Catholic Church might be as to the morality of gambling he did not know but on grounds of

*Mr. Rentoul*



expediency lotteries had been suppressed in England, and he trusted that a Home Rule Parliament would speedily suppress them in Ireland. It had, indeed, been necessary to suppress lotteries in England, as it had been in every one of the United States except two. The two exceptions were Kentucky and Louisiana. The last-named State still resorted constantly to lotteries, and it was considered a great national disgrace and grievance that lottery tickets from that State were sold all over America. He was certain that if the Irish Legislature were left to itself it would prefer to raise money by lottery tickets circulated in other countries than by taxes upon its own people.

\*MR. GERALD BALFOUR (Leeds, Central) pointed out that there was an obvious difference between State lotteries and gambling hells. The public lotteries in Italy brought in a large revenue to the State. But gambling and betting houses were, in the first instance, private undertakings, and intended for private profit, although, of course, it was true that a State might obtain profit from them by issuing licences. He was not prepared to say that Ireland would certainly adopt the lottery system, but he saw nothing in the nature of things to make it improbable. Ireland would unquestionably have some difficulty in raising the Revenue she required, and the lottery system had been resorted to by other countries in similar circumstances with a large degree of success from the purely fiscal point of view. If, however, Ireland chose to resort to an expedient which, in the language of the Chief Secretary, borrowed from the Mover of the Amendment, was disgraceful, pernicious, and discreditable, he did not think it was the business of the House of Commons to interfere.

Question put, and negatived.

MR. MACARTNEY (Antrim, S.) rose to move, in page 2, line 26, at the end, add "or marriage and divorce." He said, that no apology was needed in bringing this subject before the House, because it had been once described by the Prime Minister as a matter of awful, if not unmeasurable, responsibility. But, apart from that great and high authority on the importance of the question, he also relied on the feeling which it excited amongst that portion of the population

of Ireland with whose political and religious opinions he was identified. He could hardly exaggerate the anxiety and alarm which had been aroused amongst the Protestants in Ireland by the decision which the House had come to in Committee on the question raised by his Amendment; and neither he nor his colleagues would have been justified in allowing the Report stage of the Bill to pass without calling the attention of the House to the serious responsibility they had incurred in coming to that decision. He was of opinion that the position which this question occupied in Ireland, and the still more important position which it would assume if the Bill were passed, had not been clearly before the minds of hon. Members when they arrived at their decision in the Committee stage; and, therefore, he thought he was amply justified in assuming that, far from treating this Motion as a dilatory Motion, hon. Members would be grateful to him for giving them an opportunity for revising a decision which they probably had arrived at hastily and without due consideration. The Prime Minister, replying to the hon. Baronet the Member for Wigan (Sir F. S. Powell), who moved the Amendment in Committee, relied on one argument only, and that was that, on a survey of the great English-speaking communities of the world, he was enabled to state that an attempt had never been made by Parliament to force any large community or body of persons under one Marriage Law. He quite agreed with the right hon. Gentleman, and he said frankly that he and his friends did not desire that Parliament on this occasion should force the Irish community under one Marriage Law. But the British North America Act did not force the subordinate Legislatures of the Dominion under one Marriage Law. The Act which created a Representative Legislature for New Zealand did not force the inferior Legislatures of that country under one Marriage Law. Both these Acts gave merely to the Mother Parliament the right of revising or discussing any future legislation that might be proposed in these communities, and that was all he and his friends desired to do by this Amendment. The straits to which the Prime Minister was driven in his argument in Committee were well illustrated

by the reply he gave to the hon. Baronet, who had interjected the remark that in the case of Canada Parliament had taken the course suggested by the Amendment. "Oh," said the right hon. Gentleman, "Canada has not a large population; it does not contain a great number of people." But the Dominion of Canada, which was under the legislative control of the Dominion Parliament, had a larger population than Ireland. At the time the British North America Act was passed the population was 3,500,000, and surely the right hon. Gentleman would not deny that when Parliament passed that Act it must have believed it was legislating for a community that might in time rival even the United Kingdom in population. In the second portion of his argument the Prime Minister said that no uniformity of Marriage Laws could be found in any of the English-speaking communities—that there was no uniformity to be found in the United States; none to be found in the Colonies, and none to be found at home in the United Kingdom. But the right hon. Gentleman himself admitted fully and freely the enormous mischiefs and scandals that resulted in America from the diversity of the legislation on this question in the various States; and if it were true that the Colonies had freedom of legislation on this point, it was equally true that the United Kingdom had, over and over again, refused to follow the views of the Colonies in regard to the Laws of Marriage and Divorce. With reference to the United Kingdom, it was, of course, admitted that the Scotch law differed from the English and Irish law. But it was admitted on all sides that the Scotch Law of Marriage was an unfortunate law. The Prime Minister did not, certainly, apply to it the language of praise. Indeed, he had a distinct recollection that the right hon. Gentleman stated that it would be a good thing for the United Kingdom if the Scotch law was made the same as the law of the United Kingdom. The Prime Minister had said that the facts were against the Amendment, and that, therefore, he was opposed to it. But the right hon. Gentleman had spent a great deal of time very unprofitably in looking to the facts of the rest of the world, while the right hon. Gentleman completely ignored the facts as they existed in Ireland, and yet it was upon

these facts that he claimed that the Amendment deserved the very serious consideration of the Government. What was the position in Ireland? The Marriage Law of Ireland was precisely the same—except in an unimportant detail—as the Marriage Law of England, and the Law of Divorce was also almost exactly the same. He wished to say here that he was not concerned much with the question of divorce, because all classes in Ireland of every variety of religious opinion were agreed that there should be, if anything, a restriction of the operation of the Divorce Laws. But the question of the Marriage Laws was in Ireland of the highest possible moment. The position which the Roman Catholic Church occupied in Ireland on this question was entirely different from the position which the Roman Catholic Church occupied in England, and for this reason—in the first place, Ireland was, in the view of the Roman Catholic Church, a Roman Catholic country. England was not regarded by the Roman Catholic Church as a Roman Catholic country. Therefore the Roman Catholic hierarchy of England were not obliged by the policy of the Church to attempt to force into the political arena those peculiar views which the Roman Catholic Church held with regard to marriage. But, as Ireland was a Roman Catholic country in the view of the See of Rome, there was an obligation on the rulers of the Church in Ireland to do everything they possibly could to force to the front, either in legislation or in relation to general social questions, the views the Church might hold, no matter how extreme those views might be. The difference between the Roman Catholic Church in England and Ireland in that respect was owing to the fact that the Decrees of the Council of Trent had been published in Ireland and had not been published in England. It was, therefore, absolutely necessary for the House to consider what effect the publication of the Decrees of the Council of Trent in Ireland would have on the legislation that might be presented to the future Irish Parliament. The views of the Roman Catholic Church in regard to marriage were stated by the Royal Commission which reported in the year 1868 upon the Marriage Laws of the United Kingdom. The Report stated—

*Mr. Macartney*

"By the law of the Roman Catholic Church under the Decrees of the Council of Trent (which are now received throughout Ireland) the presence of the Bishop of the Diocese or priest of the parish (or of some other priest deputed by the priest of the parish) is made indispensable for the solemnisation of a marriage recognised as valid by that law; and every Roman Catholic marriage ought, according to the same law (though not under pain of nullity), be preceded by the publication of banns for three Sundays, unless dispensed with (as in Ireland it usually is) by episcopal licence. Of these matters, however (being requisites of marriage by the internal economy only of the Roman Catholic Church) the law of the land takes no cognisance; and if contracted in the presence of any Roman Catholic priest in Ireland between two Catholics, although contrary to the law and discipline of their own Church, would be legally valid."

That statement was founded on the evidence given by Cardinal Cullen, Archbishop of Dublin, which received the *imprimatur* of all the Roman Catholic Bishops of Ireland, and the evidence was based on the Decrees of the Council of Trent. He would further remind the House that one of the highest authorities in the House—one who had in the field of theology, as in every other field, acquired a position of the first importance—had thus spoken of the policy of the Roman Catholic Church in this country—

"The intention of those who rule the sensible rulers of the Roman Church to disturb civil society will doubtless be developed in a variety of forms as circumstances and seasons may serve; but at present it is nowhere conspicuous than in regard to the Law of Marriage."

He had taken the quotation from the revised edition of the well-known pamphlet entitled, *Vaticanism*, published by the Prime Minister; and in the preface to the pamphlet the right hon. Gentleman further said—

"If there is one civil right and privilege which the population of the United Kingdom enjoy under the legislation of Parliament which is open to the offensive policy of the Church of Rome, it is the Law of Marriage."

Now, what was it that the Roman Catholic Church was bound to attempt to carry out? Again he referred to the authority of the Prime Minister. The right hon. Gentleman had stated as his deliberate opinion that it was the peculiarity of the Roman Catholic authority to thrust itself into the domain of politics. Therefore it was not a dastardly violation of "the angelic theory," which found such favour with hon. Gentlemen

on the other side, for him to suppose that in Ireland under the Home Rule Bill the Roman Catholic Church would use all the powerful means at its disposal to make itself felt in the domain of politics. The views of the Roman Catholic Church with regard to the marriages which were not solemnised by its own ministers in its own Churches differed essentially in different countries. In a country in which the Decrees of the Council of Trent had not been published, such as England, these views of the Roman Catholic Church were tainted with a certain amount of liberality—

SIR C. RUSSELL: Tainted?

MR. MACARTNEY said, he would use the word "toned" or "softened," as he did not wish to hurt the feelings of the hon. and learned Gentleman. That he was correct in that view any hon. Member would see on referring to the Royal Commission on the Marriage Laws from which he had already quoted, for it would be found there that the views put forward by the Prelates of the Roman Catholic Church in England as to their relations to the State were infinitely more moderate than the views put forward by Cardinal Cullen, speaking on behalf of the Roman Catholic Church in Ireland, and that the difference in the two views was due to the fact that the Decrees of the Council of Trent had been published in Ireland and not in England. The view held by the Roman Catholic Church in regard to all marriages not solemnised by her own ministers in her own Churches was that these marriages were concubinage—

MR. M. HEALY (Cork): Certainly not.

MR. MACARTNEY said, the hon. Member for Cork evidently knew very little of the theology of the Roman Catholic Church, for in the third pamphlet published by the Prime Minister, in that particular portion of it in which he contemptuously referred to the "rusty toes" of the Vatican, the right hon. Gentleman wrote—

"It is true indeed that the 200,000 non-Roman marriages which are annually celebrated in England do not at present fall under foul epithets of Rome. But why? Not because we marry, as I believe 19-20ths of us do, under the sanctions of religion; for out in the eye of the Pope purely civilly of but only for the technical, accide- He precarious reason that the disciplinar, case

of Trent are not canonically in force in this country. There is nothing, unless it be motives of mere policy, to prevent the Pope from giving them force here when he pleases. If and when that is done every marriage thereafter concluded in the English Church will, according to his own words, be a filthy concubinage."

No one could deny that these views of the Prime Minister were supported by the accumulated evidence of the theological writers of the very highest authority in the Roman Catholic Church, and were perfectly accurate. Therefore in Ireland, where the Decrees of the Council of Trent had been published, it was held by the Roman Catholic Church—though for motives of policy the rulers of that Church did not publicly proclaim their views—that marriages, civil or otherwise, not solemnised in their own Church and by their own ministers were not marriages at all—

MR. M. HEALY : Certainly not.

MR. MACARTNEY : The hon. Member has not read the authorities of the Church.

MR. M. HEALY : I beg your pardon, I have.

MR. MACARTNEY said, that was the view held by the Roman Catholic Church, and that was the view supported by the Prime Minister. He saw that the Attorney General shook his head in doubt.

\*SIR C. RUSSELL : My right hon. Friend was writing of marriages between Catholics.

MR. MACARTNEY said, that the Prime Minister wrote of "non-Catholic marriages." The argument of the right hon. Gentleman was that if the Decrees of the Council of Trent had been published in England the 200,000 yearly non-Catholic marriages would fall under the foul epithets of Rome. He, in order to enforce his argument, was not bound to show that the Church of Rome in Ireland would take legislative action in the Irish Parliament to carry out these views. It was sufficient for him to say that there was a possibility of their doing it—that there might be a possibility of it, and that, therefore, he was justified in pressing this matter on the attention to the House. The position taken up in spent by the recognised leaders of the ably in Catholics in Ireland on this question was absolutely different from, the words variance with, the views man could variance with, the views existed by the Prelates of that

*Mr. Macartney*

Church in England ; and, therefore, the Protestant minority in Ireland had a right to claim from the House that protection in this matter which the Imperial Parliament had given to every other community in the Empire to which a Legislative Body had been granted—namely, a subordinate Parliament should not have the power of altering the Marriage Laws. In the proposed Irish Parliament the hierarchy of the Roman Catholic Church would find convenient malleable tools to carry out its policy ; and, in the circumstances, he could not blame them if they insisted that the men whom they had returned to that Parliament by their absolute will should place the Church which they represented, and of which they were members, in the best possible position it could occupy. As in all probability this would be done, the Protestants in the country were entitled to protection in the all-important question of marriages. Over and over again hon. and right hon. Members on the Treasury Bench had given pledges to the country that the Bill should contain nothing which would interfere with the religious opinions of the Protestant minority in Ireland. At the re-election of the Chief Secretary for Ireland at Newcastle, the President of the Local Government Board assured the electors as a Nonconformist, and pledged himself, and, he presumed, pledged the Government, that nothing would be done under Home Rule in the slightest degree to interfere with the privileges of any Protestant community in Ireland. Unless the Government went behind those pledges, they ought to accept the Amendment. It was against the Marriage Laws that the power of the Church of Rome in Ireland would be directed under Home Rule ; therefore, the Protestant communities of Ireland had every reason to ask from the House that protection in regard to the Marriage Laws which even Roman Catholic countries like Italy, France, and Belgium had given to their citizens.

Amendment proposed,

In page 2, line 26, after the word "rights," to insert the words "or (11) Marriage and divorce."  
—(*Mr. Macartney*.)

Question proposed, "That those words be there inserted."



\*SIR F. S. POWELL (Wigan) said, he had had the honour of submitting some observations on this question on the Committee stage of the Bill, and he would not have presumed to address the House again on the subject had he not had the privilege since the discussion in Committee of sitting on the Committee which had been appointed to consider the Marriage Laws of the United Kingdom, and of making a further investigation of the question. In the first place, he would call the attention of the House to the leading and most prominent passage of the Report of the Royal Commission on the Marriage Laws which sat in 1868—

"It must be universally conceded," said the Report, "that if it be possible to reduce the Marriage Laws in the United Kingdom to one uniform system, such an object is in the highest degree desirable."

It was very satisfactory to be able to state to the House that since the publication of that Report considerable advances had been made towards uniformity and assimilation. In Scotland there had been some progress in that direction, and he knew that the state of the law was satisfactory to the Scotch community; but, at the same time, the Committee had had evidence from the Registrar General and his subordinates that there had been a great increase in irregular marriages in Scotland, which was a most unfortunate condition of affairs. Nevertheless, there was a tendency towards assimilation. During the discussion on this question in Committee he had referred to the condition of the law in regard to Canada, and had mentioned that the British North America Act of 1867 provided that marriage and divorce were amongst the subjects to which the exclusive legislative authority of the Parliament of Canada extended. He had been much surprised to hear the Prime Minister on that occasion speak with contempt of the population of Canada. Surely the most loyal of our Colonies, with its vast extent of territory, did not merit such a reference, and no argument could be fairly founded on its population. But it might be said that the great central and authoritative Act had not been carried entirely into force. He had examined with great care the Canadian Statutes in the Library of the House, and his labours had not been by any

means in vain. He found that in the Parliament of Ontario there had been two large Statutes passed of considerable bulk respecting marriage. He had read those Statutes with some alarm, but the alarm ceased when he found that those Statutes had been twice revised and consolidated since 1867—an example which might very well be followed by the Imperial Parliament—and that there was the following provision:—

"The Revised Statutes shall not be held to operate as new laws, but shall be construed and have effect as a consolidation of the law as contained in the said Acts and parts of Acts so repealed, and for which the said Revised Statutes are substituted."

It was also carefully provided that everything in those Statutes in contravention of the Central Legislature should be non-effective. The Dominion Parliament was therefore supreme as regards marriage and divorce. On crossing the border into the United States he found, as the result of his investigations, that there were between the different States differences so slight that they were not worth maintaining, and also inconsistencies so great as to produce serious and most painful embarrassments. For instance, in the State of Massachusetts he found, in the matter of divorce, that it was provided—

"When the inhabitant of this State goes into another State or country to obtain a divorce for any cause occurring here, and whilst the parties resided here or for any cause which would not authorise a divorce by the laws of this State, a divorce so obtained shall be of no force or effect in this State."

The Court had, therefore, to investigate motives and decide what was the reason why a man passed from one state to another. He also found in some States that divorce could be established on the simple ground of felony; in other States felony was not sufficient unless it were accompanied by two years' imprisonment; and in Tennessee he found a condition of affairs which must cheer the temperance advocates, because there habitual drunkenness was sufficient to obtain a divorce. He also found that there was a great difference in the terms of residence to justify parties in seeking divorce. In some States it was six months, and in others 12 months. In fact, great mischief was wrought in the United States by the diversity of legislation in regard to divorce. He thought he had made out a strong case

for uniformity in this country. The Commission which sat on this subject in 1868 said they had found uniformity desirable. They had found under that the superintending eye of one Parliament, owing to the growth of public opinion under the guidance and governance of one Parliament, great progress had been made towards that assimilation which was so essential; and he did hope the Report of the inquiry of the Select Committee, when it was published and discussed in the country, would lead to the further assimilation which the Members of the Royal Commission so greatly desired. He believed if they did destroy this superintending and governing eye of Parliament, those diversities which had been diminished would be perpetuated and increased; the hopes which some of them entertained as to uniformity would be lessened, and the time would be rendered more distant than they could desire when the recommendations of that great and carefully-manned Commission of 1868 would be carried into effect. He felt himself, the more one inquired into these subjects, both by the investigation of documents and by such means as arose in the converse between individuals—the more one felt the importance of one common system of law in a matter so profoundly affecting the national life—the more anxious one must be to resist by every possible means the adoption of any procedure which might tend to further perpetuate differences and to postpone the period of that identity and similarity which he was sure must be the desire of every person who had given careful attention to this most momentous and important subject.

\*SIR C. RUSSELL said, he did not intend to follow at length the speeches of the Mover of this Amendment and the hon. Baronet who had just sat down, for the reason that this matter was fully discussed in June last; and if they were to have the continual repetition of matters which had been fully debated, the object of those who desired that no progress should be made on this Report stage would be accomplished. The hon. Baronet who had just sat down had expressed a wish that there should be a general uniformity in the Marriage Law in all the dominions of the Queen.

SIR F. S. POWELL: No, in the United Kingdom.

*Sir F. S. Powell*

\*SIR C. RUSSELL: But the hon. Baronet went on to discuss the law in the Colonies amongst other places, and certainly no argument in support of this Amendment had been drawn from them on the question of uniformity. Again, in the three Divisions of the United Kingdom there were wide differences in regard to the Law of Marriage. As regards the Decrees referred to, it might be important to consider them if in the United Kingdom they bound the conscience or dealt with the actions of others besides the persons who by their religious professions were supposed to be subjected to the obligations of those Decrees. Did the hon. Member gravely say that the Decrees of the Council of Trent had been put in operation in any compulsory course against persons not subject to them?

MR. MACARTNEY: In Spain they certainly have.

\*SIR C. RUSSELL: All he could say was that the hon. Member had not given them Spain in his speech; and they were dealing with this country.

MR. MACARTNEY: I said distinctly Spain.

\*SIR C. RUSSELL: He did not hear him mention Spain. However, let him correct the hon. Member on another point. The hon. Member seemed to think there was a great difference between the position of the Decrees of the Council of Trent in England and Ireland. But he was informed the House of Lords had decided that the Decrees of the Council of Trent were promulgated in England, or that the Common Law of England in important respects coincided with them. There were differences between the law of Ireland and the law of England not so very marked, and between the law of Scotland and that of Ireland the differences were of a very marked character indeed. Well, then, was any argument, founded for the withdrawal of this question from the cognisance of the Irish Legislative Body, based upon any legislative precedent? No; the precedents where Constitutions had been given to other countries, with hardly an exception, had treated this question of Marriage Law as essentially a matter to be dealt with by the local Legislatures. The hon. Member for Antrim then proceeded to a theological disquisition on

this subject. Without any disrespect to the hon. Member, and without himself professing to be an adept in such matters, he thought the hon. Member had not mastered the subject at all. As to the Catholic doctrine regarding marriage not as a civil contract merely but as a sacrament, he pointed out that that view was taken with due regard to the civil rights of others who took different views on that subject to those held by Catholics, and he really declined to consider further that theological discussion which the hon. Member had sought to introduce. What was the real difficulty apprehended by the hon. Member? He had read the speeches made in the preceding Debate, made for the most part by the same hon. Members and raising the same objections; and he really could not realise, and he did not think the House could realise, what danger was apprehended. Was the danger apprehended that the Irish Legislative Body was going to do something to outrage the consciences and interfere with the civil rights of the Protestant minority? ["Hear, hear!" *from the Opposition Benches.*] Very well, and did hon. Members think that in the state of public opinion, with Ireland so close to our doors, with so close an observation from day to day, with intimate association and knowledge of all that took place there, public opinion in this country—to say nothing of public opinion in Ireland—would for one instant tolerate such a thing? The idea was only one conjured up by the hon. Member as to which he could not conceive that he himself had any belief that there was any real danger—[Mr. MACARTNEY: I have.] Then he differed from the hon. Member. As regarded the question of divorce, the speech of the hon. Member answered the speech of the hon. Baronet, because the hon. Member for Antrim at once said that so far as divorce was concerned he did not think there was any necessity for this, as the people of Ireland, to whatever religion they belonged, were practically agreed as to the absence of Divorce Law in Ireland. That being so, he did not seek to enter into that matter, and would conclude by saying that this was one other illustration of the way in which hon. Members—no doubt conscientiously and honestly—conjured up dreads and doubts for themselves which had no real existence.

Mr. J. Morley rose in his place, and claimed to move "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That those words be there inserted."

The House divided :—Ayes 108 ; Noes 157.—(Division List, No. 272.)

MR. HENEAGE (Great Grimsby) (for Mr. COURTNEY) proposed the following Amendment, which, he said, the Government had agreed to accept :—

Clause 3, page 2, line 29, after "Parliament," insert "or to prescribe conditions regulating importation from any place outside Ireland for the sole purpose of preventing the introduction of any contagious disease."

Question proposed, "That those words be there inserted."

\*MR. GIBSON BOWLES (Lynn Regis): Does this, or does it not, cover quarantine? It seems to me most distinctly to do so, yet an Amendment regarding quarantine was rejected with scorn by the Government yesterday; and it is rather strange, therefore, that they should accept it this evening.

MR. J. MORLEY: Quarantine does not concern importation. This is an Amendment to extend the powers of the Irish Government in a direction to which, I think, nobody can object.

Question put, and agreed to.

\*LORD G. HAMILTON (Middlesex, Ealing) rose to move to amend the 3rd clause by adding a Proviso that the Irish Legislature should not have power to pass Resolutions or discuss any question connected with the subjects, enumerated in Sub-section 3 (Navy, Army, Militia, Volunteers, forts, arsenals, &c.), unless the assent of the Lord Lieutenant, upon instructions given by Her Majesty, had been previously obtained. He said: In moving this Amendment, Sir, I do so for the purpose of enhancing the clause to which it is related. We have spent much time in discussing theoretical questions; we have discussed the real meaning of the words in reference to the supremacy of Parliament; but nobody yet—certainly no Member of Her Majesty's Government—has considered how practical effect is to be given to the supremacy of the Im-

perial Parliament, or the means by which it is to be enforced. This is the question to which I wish to call attention—a question which is immeasurably more important than any question which has, up to the present, been discussed. Only one sub-section in the Bill relates to the Naval and Military Forces of the Crown, or the position in which they will be after the Bill has passed. Yet no one will deny that in certain contingencies the Military Forces of the Crown are the only instruments upon which the Imperial Parliament will be able to rely for the enforcement of its theoretical supremacy. There are a large number of hon. Gentlemen opposite who are pledged theoretically to the assertion of the supremacy of the Imperial Parliament, and who believe that, after Home Rule is passed, the forces at the disposal of the Imperial Parliament will remain unaltered. That is a great delusion and mistake. The Military Forces are the only forces—the only reliable forces—that this House can depend upon; but I contend that under this clause as it stands it is in the power of the Irish Legislature to fatally interfere with the Military Forces—to hamper their efficiency and action. In Committee my noble Friend the Member for West Edinburgh (Viscount Wolmer) proposed an Amendment providing that the Irish Legislature should be debarred from even discussing or passing Resolutions on certain subjects. The Prime Minister resisted the Amendment mainly on two grounds—that it would be very difficult, in the first place, to enforce the prohibition; and, in the second place, that it would deprive the Irish Legislature of the right of Petition possessed by every public body in the United Kingdom. Anyone who takes the trouble to look at the Bill will see that the other subjects reserved from the Irish Legislature under Clause 3 are in quite a different category from the Army and Navy; they are matters of constitutional and political character, relating to general legislation with which a Provincial Legislature ought not to deal. But it is evident that power should not be given to such a Legislature to tamper with the instrument which alone would be able, in certain circumstances, to keep it in a subordinate position. All the Civil and Executive authority in Ireland now behind the Imperial Government will, if

the Bill be passed, be transferred to the local Legislature. Now, in any difficulties which have arisen in recent years in Ireland or in any other part of the United Kingdom, the authority of this House and of the law has been asserted, not by Imperial instruments such as the Army and the Navy, but by domestic instruments such as the police and the Civil Authorities of the localities; and if the whole Civil and Police Forces which are now at the control of this Parliament are transferred to the local Legislature, in any collision or difficulty which may hereafter occur, not only would there be an enormous subtraction from the forces which are now at the disposal of the Imperial Parliament, but that subtraction will go to the augmentation of the strength of the only authority which can dispute the jurisdiction of Parliament. I do not know that the question has ever been argued out. The whole Executive authority now exercised by the Imperial Parliament would be transferred to the Irish Parliament, which will have the whole Police Force at its disposal in a short time. What remains of the Imperial authority behind this House? There is nothing but military power. Hon. Members who support this Bill should read the history of the great Civil War in America. At its commencement they would see how certain States announced their intention of repudiating the authority of the Central Power. The repudiation was treated with contempt; but we know what took place; we know that, in order to settle that matter, a certain number of Volunteers were raised for a few days, and that out of that arose the greatest war of modern days. How was it that the recalcitrant States were able to offer this resistance? Because in every case the Legislative Authority of the recalcitrant States carried with it the whole Executive forces of that State, the local Militia, and even the officers of the Federal Army, who were connected with the State. Well, what would be the position of the Imperial Parliament if this Bill should become law? Hitherto Parliament has had this great advantage in asserting its authority in Ireland—the Irish people have been divided into two sections, and there has never been a dispute between the English Government and the Irish people in which the former could not rely on one section to support

*Lord G. Hamilton*



them. Now, however, the Government are deliberately repudiating the allegiance of that part of the population which has hitherto adhered to England. [Mr. GLADSTONE : Deliberately ?] Yes, deliberately ; for you propose to place the whole power and authority of Irish government in the hands of gentlemen who until recently have always been opposed to the power of England ; and, therefore, any collision which takes place between this Parliament and the Irish Legislature must be a collision produced by hon. Gentlemen sitting below the Gangway, who will constitute the majority. Does the Prime Minister think he can appeal to a minority whom he and his friends had betrayed ? [Mr. W. E. GLADSTONE : Hear, hear !] Yes ; betrayed ! I have been many years in this House, and I have a tolerably good recollection of speeches of the Prime Minister, in which he declared how much he was indebted to the support of the Loyalist population of Ireland in putting down disturbances in other parts of Ireland. Some astonishing statements have been made in the course of the Debate from that (the Treasury) Bench. I heard the Chancellor of the Exchequer the other day speaking of the maintenance of the Military Forces in Ireland, and he seemed to think that the moment Home Rule is passed a great part of the Military Forces now quartered in Ireland ought to be transplanted into England. It probably did not occur to the right hon. Gentleman or to anybody on the Treasury Bench that the Imperial Army is based on a system of territorial recruiting, and that a large proportion of this Army—the solitary instrument left to us if we pass this Bill—is composed of Irish regiments which are recruited in Ireland, and whose headquarters, under the present system, are in Ireland. As soon as it becomes clear to the Nationalist Members in the Irish Parliament that there is but one single, solitary obstacle to the full realisation of their national aspirations—namely, the solitary obstacle of the Imperial Army—they will naturally, and from their point of view legitimately, do what they can to remove that impediment. This clause, in its present form, places in their hands a weapon by which they may vitally affect the efficiency of the British Army. They are not to legislate on the subject,

but they are to be allowed to pass Resolutions. Have right hon. and hon. Gentlemen ever heard of the unwritten law of the Land League ? It is not remote in point of date, but there are some memories so conveniently constructed that they can forget what happened yesterday. The unwritten law of the Land League was in force in Ireland—[*Cries of "Question !" "Hear, hear !" and interruption.*] I am coming to the point. Will anybody deny—[*Renewed cries of "Question !"*]

MR. SPEAKER : Order, order !

MR. MAC NEILL (Donegal, S.) rose his place, and, apparently addressing Mr. Bartley (Islington, N.), said : Do not presume to mention my name.

MR. SPEAKER : Order, order !

MR. MAC NEILL, again rising in his place : You have no right to use my name.

MR. SPEAKER : Order, order !

\*LORD G. HAMILTON : I was stating, Sir, that only a few years ago the Land League issued directions which were known as the unwritten law and were obeyed. If the gentlemen who issued that unwritten law are given the control of the Executive and the Police, can the House suppose that any Resolution passed by them will not be observed throughout the greater part of Ireland ? The Irish Parliament will find that the Army is a territorial Army, recruited to a large extent from Ireland ; and what will be easier for that Parliament, remembering the speeches of the Prime Minister supporting the theory of a distinct Irish nationality, than to propose by Resolution—if I were an Irish Nationalist, I would suggest it—that whilst Ireland is ready to contribute towards the expenses of the Imperial Army, she requires as a prior condition that the only regiments quartered in Ireland should be regiments which are raised in Ireland ? [*Cheers and laughter.*] Hon. Members oppose laugh at that. You laugh at the mere suggestion ; and yet you are raising this Constitutional structure on a foundation of a union of hearts, and when I test you upon it you repudiate it. Why do you repudiate it ? Then the right hon. Gentleman would say, what is the harm of passing such a Resolution ? Why, the right hon. Gentleman and his Colleagues on

the Treasury Bench have not thought out the A B C of the question I am arguing. I am putting myself in the position of a Nationalist. Supposing the Resolution which he has suggested might be passed were not assented to here, but were repudiated by the Imperial Ministry—and properly repudiated—would it not be easy for the Irish Parliament to propose another declaring that, inasmuch as the English Government declined to assent to this idea of the union of hearts, any man enlisting in an Irish regiment for Imperial purposes was an enemy of his country? [*Laughter.*] Yes; you laugh; but what, then, would become of your Irish regiments and your territorial system? I speak in this matter with knowledge of that part of Ireland which has hitherto been most favourable to the Imperial connection, and I say that if such a Resolution were passed under such circumstances it would have a tremendous effect—it would strike at once at the very foundation of the system according to which our Army is recruited. But there is another point which ought not to be overlooked. In an Army supported entirely by voluntary recruiting it is essential that desertion should be punished, and desertion cannot be punished by the Military Authorities unless the civil police co-operate with them. What could be simpler than for the Irish Parliament to pass a Resolution stating that in the strained conditions between the two countries they would decline to allow the police to assist the Military Authorities in stopping desertion? The Irish Parliament might resolve that in the strained relations between Great Britain and Ireland the police should not assist the Military Authorities in stopping desertion. Is that a risk we ought to run? Did hon. Gentlemen opposite believe in what they themselves say when they expressed themselves in favour of the theoretical assertion of the supremacy of this House? What is the use of supporting words which sustain the theoretical supremacy if you deliberately decline to support the only proposal by which means can be given for the practical enforcement of that supremacy? As I can speak only once, I must anticipate the arguments that may be brought forward in opposition to my Amendment. Everybody would admit that the position of the Lord

Lieutenant would be a very difficult one. He would go over to Ireland as the representative exponent and supporter of the Imperial authority of this House; but he would also go there to promote within the limits of this Bill self-government in Ireland. Suppose a Resolution such as I have suggested, which strikes vitally at the efficiency of the solitary Imperial instrument left for the assertion of supremacy is proposed in the Irish Parliament, and that hon. Members below the Gangway, who represent the Irish Government, do their best to oppose the Resolution as contrary in its spirit to their understanding of the Act, and that they are beaten by a majority—what will be the position of the Lord Lieutenant? He will be deprived of the Ministry who have opposed this improper Resolution, and he will send for the Leader of the Opposition, who has carried the Resolution, and ask him to form a domestic Government. That gentleman may say,—“I can only do so on the understanding that the Resolution is assented to by the British Government.” He goes to another gentleman who gives the same answer. What is the Lord Lieutenant, under these circumstances, to do? The Irish Parliament will have deposed the existing Government by passing an anti-Imperial Resolution, and the unhappy Lord Lieutenant will not be able to carry on the domestic government of Ireland with the co-operation of Irishmen unless he, as an Imperial officer, assents to proposals which he knows are fatal to Imperial rule. It is to avoid all these difficulties that I have put my Proviso on the Notice Paper. The other night, when we were discussing the position of the Army under certain contingencies, the Prime Minister relied exclusively and entirely upon the words of the patent and commission of the Lord Lieutenant. He said that the Lord Lieutenant, by his patent and commission, would be omnipotent over the British troops which might be quartered in Ireland. Very well, I have adopted the suggestion which the right hon. Gentleman's argument implied, and I propose that no discussion can take place in the Irish House of Commons on this matter without the previous assent of the Lord Lieutenant, who will, under an instrument from Her Majesty, have control over the

*Lord G. Hamilton*

troops. I cannot anticipate what objections will be taken to my Proviso. The Imperial Army and Navy are subjects forbidden to the Irish Parliament; they are forbidden fruit that may not be eaten. I propose that that fruit may not be touched or smelt, for we know that the handling and smelling frequently engender appetite. My desire is that the Imperial authority should be something that can be enforced, and that will continue to act in all parts of the United Kingdom, and I therefore beg to move my Amendment.

Amendment proposed, after the foregoing Amendment, to insert the words—

"Provided always, the Irish Legislature shall not have power to pass Resolutions or discuss any question connected with the subjects enumerated in Sub-section (3), unless the assent of the Lord Lieutenant, upon instructions given by Her Majesty, has been previously obtained."  
—(Lord G. Hamilton.)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE: I think my first duty to the noble Lord is to thank him for the kindness and compliments he has paid to the Treasury Bench. The noble Lord has been so good as to suggest that those who are responsible for this Bill have not properly thought out the A B C of the question, which assertion was understood to apply to the Treasury Bench in general. The noble Lord has coolly addressed those words to men some of whom have been doing the best they can with their feeble faculties to serve the Crown and the Kingdom long before the noble Lord's eyes first saw the light; and then, no doubt in the most conscientious manner, the noble Lord proceeded, with that intuition which has been given to him, and with the wonderful power of accumulating the experience of a long life in the course of a short one, to instruct the Government upon this subject, discovering the shallowness and insufficiency of their knowledge. My next duty is to say that, except in the very last portion of the noble Lord's speech, I was at a loss to discover what was the relation between the Amendment and the oration which the noble Lord has delivered. Why has the noble Lord limited his Amendment to the 3rd sub-

section, making it, for all ostensible purposes, totally insufficient? Why has he introduced these most awkward, ill-advised, ineffective, and inexpert words? There are other sub-sections which deal with the Crown and succession to the Crown, with the making of peace and war, and matters arising out of a state of war, with Treaties and other relations with Foreign States. All these things the noble Lord, as the guardian of the State, will leave open, going from the A B C to the X Y Z of the situation. All these questions the noble Lord says, by implication in his Amendment, he will leave to the Irish Legislature, provided they only do not make laws. Well, the fact is the noble Lord would leave matters infinitely worse than they were before. I think the mouth of the Legislature ought not to be wholly closed on all these subjects. The noble Lord implies that the Irish Legislature are free to pass Resolutions on these subjects, but not on questions concerning the Army and Navy. If another battle of Waterloo were fought, would the noble Lord refuse to allow the Irish Legislature to pass a Vote of Congratulation?

\*LORD G. HAMILTON: The Amendment says, "with the permission of the Viceroy."

MR. W. E. GLADSTONE: That is a most delightful solution of the difficulty. What is it that gives value to congratulatory Resolutions of the House of Commons? It is because they are spontaneous. Here there is to be an official approbation or intimation, and then, with the stamp of that prior approbation, forthwith there may be an Address of Congratulation given on some great national victory. My answer to this is, that the Irish Legislature ought to be left free to congratulate Her Majesty on great national occasions and on great occasions of joy. For instance, an Heir to the Throne might be born, but under this proposal no Vote of Congratulation could be passed "unless upon instructions given by Her Majesty" through the Lord Lieutenant, whose assent must first have been obtained. There might be a great victory—a great danger overcome—a decisive victory. Not a word unless by the assent of the Lord Lieutenant. Why, it is approaching in spirit

the revival of the old Poyning's Law. Nothing is to be said by the Irish Legislature until the padlock the noble Lord would nail on them has been removed. That is a sober comment on this singular Resolution moved by the noble Lord. The noble Lord stated incidentally that, in a question of national danger, the minority in Ireland could not be relied on.

MR. A. J. BALFOUR: He did not say that.

MR. W. E. GLADSTONE: The noble Lord can correct me if he likes. I would rather be corrected by him than by anyone else. He said that the minority had been betrayed by the Government. Evidently he meant that they could not be relied on by the Government; but did not he intend to refer to a body of persons so distinguished and trustworthy as my right hon. Friend the Member for West Birmingham?

MR. J. CHAMBERLAIN: What have I got to do with it?

MR. W. E. GLADSTONE: The noble Lord did a cruel injury and injustice to the minority, for I believe that in a case of difficulty they will not fail in their essential duties as loyal subjects. I say that in face of all the astounding speeches that have been delivered by various great authorities, excepting the right hon. Member for West Birmingham, who has never entered the ranks of those who have taught the lesson of disloyalty, violence, and rebellion. If the noble Lord's mind were in a glass bee-hive I should be most curious to find out by what process he arrives at the conclusion, first, that the Army is the only instrument to be relied upon; and, secondly, that his reliance upon the Army is to take effect upon the proceedings of the Irish Parliament. My difference with the noble Lord is that the noble Lord thinks that the natural and necessary consequence of this Bill will be the most violent antagonism between the Irish and Imperial influences.

LORD G. HAMILTON: I only said—and it is admitted by a certain section of Nationalist Members—that there will be an attempt to remove the restrictions imposed on the Irish Parliament under the Bill.

MR. W. E. GLADSTONE: Is that all the noble Lord says?

\*LORD GEORGE HAMILTON: I did not go further.

*Mr. W. E. Gladstone*

MR. W. E. GLADSTONE: I do not agree with the noble Lord. I do not believe the attempt would be made; but, supposing it were made by perfectly Parliamentary and Constitutional processes, what would the Army have to do with it? The noble Lord does not propose to check the attempt by forbidding Petitions, Addresses, or Resolutions. His Resolution is quite as much in defect as it is in excess. It sins quite as much by what it omits as by what it commits, and sins enormously in both. The noble Lord supposes the case of a Resolution to the effect that none but Irish-born troops shall serve in Ireland. That would not be a Parliamentary Petition for the relaxation of restrictions, but a Resolution which, if it meant anything, would appear to contemplate direct military action by an Irish force against the forces of the Empire. Does he really believe that, if Ireland were unhappily set upon any of these extreme, dangerous, and suicidal councils, his Resolution would prevent it? Under the sub-sections that he leaves uncovered, there is plenty of space for an Irish Legislature to do things infinitely more dangerous to the Union of the Kingdoms and the maintenance of the Imperial power than any Resolution such as he describes would be. I am quite sure that if we wish the Irish Parliament to remain on safe lines in these Imperial matters we must show it a certain confidence; but if we begin with these little restraints and prohibitions, showing our desire to wound but fear to strike, it will be impossible to devise any methods more directly calculated to disturb the relations between the two Islands. Suppose the Irish Parliament passes this evil Resolution, how will the noble Lord proceed against it? Will he march down a regiment and repeat the process of Pride's Purge? Will he send colonels and soldiers to surround the Table in the Irish Parliament and make a selection of who shall withdraw and who shall remain? He cannot have so little of the sense of a statesman as to suppose that it is by this use of local authority and force that these, by supposition, terrible discords are to be met. The instrument to which the Government look for meeting this contingency, which is immeasurably remote, and unlikely as anything can be that is not absolutely



impossible, is not the Viceroy, nor the Forces stationed in Ireland, but this House. Under these circumstances, I submit that the noble Lord's Amendment is in its positive sense most mischievous, because it begins a work which absolutely requires some initial degree, at least, of mutual confidence and reliance by a proclamation which really flaunts in the face of the Irish nation and the Irish Legislature a belief that they are untrue to their declarations, and that nothing is to be expected from them but resistance and disturbance. But, besides that, the Amendment, in my opinion, is totally inefficient for the purpose that the noble Lord has in view. While he closes one door, and one, perhaps, rather small door, he leaves open other doors that are larger, and will admit of more dangerous and serious incursions. The noble Lord, therefore, totally fails in the object which he proposes to attain, while he inflicts grave and serious damage upon those other and I think better aims which are the declared and fundamental objects of the Bill.

MR. J. CHAMBERLAIN: I had not intended to say a single word upon this Amendment; and, indeed, I had some little doubt whether I could possibly support it. I was inclined to think with my right hon. Friend who has just sat down that the Amendment was inapplicable, and while closing one single door left open many others, through which greater incursions upon the interests of this country might easily be made. But while I was reflecting upon the advantages of silence and of virtuous retirement, my right hon. Friend, to my intense surprise, sought me out to slay me with a sneer at my ability and the influence which the right hon. Gentleman supposes me to have with the loyal minority. I confess I am totally at a loss to know, when I was so inclined to keep out of the fray, why my right hon. Friend should use his most powerful weapons to demolish me. There is no encouragement to be silent.

MR. W. E. GLADSTONE: My right hon. Friend is under a misunderstanding. I had no intention of accusing him of having entitled himself to influence with the loyal minority by the means that are commonly in force. On the contrary, I desired to the best of my

ability to acknowledge the honourable abstention which, it appears to me, my right hon. Friend has practised in that respect in abstaining from those means of currying favour with the loyal minority which have been so much in favour with the Tory Party.

MR. J. CHAMBERLAIN: That was the second reference which my right hon. Friend made to me, and for that I was extremely grateful. It was the first reference which aroused me from my apparent indifference, and in that my right hon. Friend, without rhyme or reason, made a sudden violent attack upon me. I really am at some difficulty to understand why I was suddenly sought out for the purpose of being held up as a terrible example to the House. I have, however, come to the conclusion that this is the usual course of my right hon. Friend whenever he has a bad case; and I feel it necessary, therefore, to look more carefully than I had intended into the Amendment which has been proposed. I remember perfectly well that on a previous occasion when the right hon. Gentleman had to throw over previous speakers and to climb down, he covered that operation, which most of us would not have indulged in with any grace or satisfaction, with such cuts and thrusts at his opponents all round, as if he was enjoying a tremendous triumph when he was really submitting to a tremendous defeat. No one admires so much as I do the rhetorical methods of my right hon. Friend; but he at once awakened my vigilance, and, having considered carefully my right hon. Friend's subsequent observations, I begin to see that there is very great force in the Amendment of the noble Lord. I still think that it does not go far enough, but that is an omission which can easily be repaired. One of the arguments of the right hon. Gentleman was certainly the strangest that I ever heard, even from him. The Prime Minister said—"What a deprivation this would be to the Irish Parliament, as they would thereby be prevented from passing a Resolution congratulating Her Majesty upon some event of great public interest;" and he actually took as a particular event upon which he thought the Irish Parliament would be in a state of almost unnatural eagerness to congratulate Her Majesty on the birth of an Heir to the

Crown. I may point out that before the Irish Parliament can congratulate Her Majesty upon the birth of an Heir to the Crown they must have an opportunity of congratulating Her Majesty upon the marriage of an Heir to the Crown; but, judging from what we have recently seen, judging from the conduct of one of the most popular and Representative Bodies in Ireland, the Council of the City of Dublin, I do not think it is at all likely the Irish Parliament would feel the deprivation. The Prime Minister says—"Suppose you prohibit the Irish Parliament from passing Resolutions. By what process are you going to make your action valid? Suppose they pass Resolutions in spite of you, what are you going to do? Are you going to bring your Army down to the Houses of Parliament, carry out another Pride's Purge, and say take away that bauble." That is, of course, if the Irish Parliament indulges in a Mace, which, I suppose, it will. Has it not again and again been represented to the Prime Minister that, although the Irish Parliament are prohibited from passing Acts on certain subjects, they may do it in spite of the prohibition? The Prime Minister's reply is—"You have an Army of 30,000 men."

MR. W. E. GLADSTONE: I have not said that.

MR. J. CHAMBERLAIN: I do not say they are the exact words of the right hon. Gentleman, but they give the spirit of his reply. The right hon. Gentleman has pointed again and again to Great Britain's superior force. He has said—"You are 30,000,000 against 5,000,000." But this superior force is only operative through the Army. It is not because we are 30,000,000 that the Irish Parliament will pay the slightest attention to our wishes. It would only be because we have a force enough to carry out our wishes. The Prime Minister should see that, whatever weight is to be attached to the force to be employed, it applies exactly the same to Resolutions and to Acts of Parliament. If it be true that it is impossible to enforce a prohibition of Resolutions, then I defy the right hon. Gentleman to show how the prohibition of Acts of Parliament is to be enforced. If the Prime Minister's argument is a sound one, it cuts at the whole of the safeguards of the Bill; and Clauses 3

and 4 are not worth the paper on which they are printed. I certainly think my right hon. Friend cannot see how far his own argument goes, and I am hopeful that he may be willing to reconsider his position, and all the more because he has practically given a pledge on the subject. He said on the introduction of the Bill that it was his intention to prohibit the Irish Parliament from dealing with certain subjects and from doing any act in relation thereto. I am perfectly well aware that when the right hon. Gentleman was reminded of this on a previous occasion he said that he meant "Act of Parliament." But he could not then have had his own words before him; his actual words were "doing any act," and if "Act of Parliament" were substituted for "act" in the sentence I have quoted, it makes nonsense. The right hon. Gentleman must have meant doing acts outside the ordinary legislative process of Acts of Parliament, and anyone would have understood Resolutions to be there included. That is common sense; but what is the sense of saying to the Irish Parliament—"You shall not pass an Act of Parliament on this or that subject, and you shall pass a Resolution, which will be as injurious to the British interests which we seek to protect as any Act that could possibly be passed"? In the case of any difficulty with a Foreign Power, will anyone say that a Resolution of such a Body as a practically independent and, at all events, a separate Irish Parliament sympathising with our enemies would not be as dangerous to British interests as any Act of Parliament? It is playing with the House to suggest that these restrictions are valid and worthy of support, and at the same time freely to allow the Irish Parliament to do other acts which are kindred in their character and certain to be equally mischievous. The last argument put forward by the Prime Minister was that the difficulty suggested by the noble Lord (Lord George Hamilton) was immeasurably remote. Why should it be so? The portion of the Irish people for whom the Government are legislating are opposed to all these restrictions, and declare that they will not rest until they are removed. Is it not certain, under those circumstances, that, if they could deal with the reserved subjects by Resolution, while

*Mr. J. Chamberlain*

the restriction with respect to legislation obtain, they will take the opportunity? I do not know whether the Prime Minister has always held this opinion, but my right hon. Colleagues have not. I would remind the Secretary for Scotland of a speech he made in this House on the Second Reading of the Bill of 1886? He said of that Bill, and it is equally true of this Bill—"Do you tell us that certain subjects are reserved from the Irish Parliament? Do you flatter yourselves that you can prevent the Irish Parliament from discussing these subjects and passing Resolutions upon them"? Then the Secretary for Scotland wound up by saying that separation would be better than such a state of things. The Secretary for Scotland was perfectly logical and sensible in that argument then; it will be a pleasure to hear him now. I dare say he would make a sensible and logical speech, but I think he would find it very difficult to justify the vote he is going to give. I do not hesitate to say that, although we are only dealing with a small branch of it, this question of passing Resolutions is at the root of the restrictions which the Government propose; and it is useless and childish to prevent the Irish Parliament from legislating on any subject, if they are left free to discuss and pass Resolutions upon it.

\*MR. E. STANHOPE (Lincolnshire, Horncastle): I hesitated a moment before rising, because I hoped that someone on the Government Bench would have replied to my right hon. Friend. I think the House will realise that I have some right to speak upon this subject by virtue of the office I held in the last Administration. It was most unworthy of the right hon. Gentleman the Prime Minister to pit his years and experience against the years and experience of my noble Friend, who has been a Member of the House of Commons for very many years, and who has been a Member of an Administration for more years than any gentleman on the Treasury Bench, with the single exception of the Prime Minister. The noble Lord has, moreover, in two Administrations had to deal with the Admiralty, and he has a right to bring forward a subject which he deemed of such importance to that Service. The Prime

Minister argued that the proposal of my noble Friend is insufficient. That is admitted. The Opposition would like the Proviso to be extended to all the restrictions in the clause; but they do not wish to waste the time of the House. The general question was discussed in Committee at great length; we were beaten upon it, and my noble Friend now takes out one particular case that was not discussed, and asks to have it debated, because he deems it—as we all deem it—of supreme importance to the interests of this country. After the extraordinarily vague speech of the right hon. Gentleman, perhaps I may be allowed to direct the attention of the Committee more closely to the point at issue. We have been told over and over again by the Government that this Bill will make no change in the position of the Army and Navy, and that they will still remain under the Lord Lieutenant as an Imperial officer. But what we contend is, that if a Home Rule Legislature cannot alter the position of the Army and Navy by Statute, it can alter it by Resolution. This is no idle fear. The right hon. Gentleman seems to think it is unreasonable to prevent the Irish Parliament passing a Resolution. But what has he himself done on the 16th clause? He has absolutely debarred it from passing any Address to the Crown on the question of Revenue. We say that the Irish Parliament not only could change the position of the Army and Navy in Ireland, but that the temptation would be in the direction of inducing them to make that change. We want securities against the time when there may be an apprehension on the part of the Irish Parliament that the Army and Navy are to be used in enforcing Imperial supremacy. The Home Rule Parliament might pass Resolutions which would hamper and harass the action of the Services. I will give three cases in which that might be done. Would it not be possible for the Home Rule Parliament by Resolution practically to prevent the Army in Ireland from obtaining any supplies? Again, can anybody doubt that a Resolution of the Home Rule Parliament might have an enormous effect on recruiting? Why, the action of the Home Rule Party has had within the last few years a very great effect on recruiting. If we believe the Report of the Inspector General on

Recruiting the National Party have done a great deal to prevent recruiting.

MR. T. M. HEALY : Where ?

\*MR. E. STANHOPE : I am quoting from the Report of the Inspector General on Recruiting, and that is an authority which I think the House will accept more readily than it will the statement of the hon. and learned Gentleman.

MR. T. M. HEALY : How has it been the action of the Irish Party ? What proof is there of that ?

\*MR. E. STANHOPE : In the third place, might not the English Army be placed in a very difficult position with regard to deserters if the Home Rule Legislature did its best to prevent the Civil authority from aiding the military in securing their apprehension ? I challenge the right hon. Gentleman for some reply on these three points. The right hon. Gentleman says that, if we carry this Proviso, we shall not have complete security. That is true ; but we want to get all the security we can, and this Amendment will give us some. It is a security which the Government ought not to deny to us, and if it is denied we shall be entitled to say to the country that the securities given to the Imperial Parliament for enforcing its wishes are intended by the Government to be the shams which we believe them to be.

\*SIR G. CHESNEY (Oxford) said, there was one point not yet touched upon in the Debate, as to which he desired to say a few words. The Prime Minister, in replying to the speech of the noble Lord the Member for Enfield (Lord George Hamilton), twitted him with the incompleteness of applying the Proviso to one clause only — and asked why, if it were necessary to apply it to the Irish Legislature with regard to military questions, should it not be applied with regard to the much more important questions connected with foreign affairs and the succession to the Crown ? The argument afforded its own refutation. There was this difference between the two cases : A Resolution passed by the Irish Legislature with respect to foreign affairs might be extremely mischievous ; but, at any rate, it would have no Executive action. It would be inoperative except in so far as it exhibited the feeling of the Irish Legis-

lature. But a Resolution with regard to the Army quartered in Ireland might have an immediate executive and operative effect. Therefore, it was quite reasonable to propose this particular Amendment without necessarily attaching corresponding Amendments to all the other sub-sections of the clause. A Resolution of that kind passed by the Irish Legislature might at once bring the Parliaments of the two countries into conflict, and he believed that sooner or later such a conflict would come. It was all very well for the Prime Minister to say that they had no reason to believe that the Irish Legislature would show a spirit resembling that which had for many years been exhibited by the Leaders of the Irish people. The right hon. Gentleman had certainly given them no reason why they should entertain such a hope. But even supposing, for the sake of argument, that the hon. Gentleman who succeeded to power, in the first instance, would be actuated by the sincere desire to so work the new measure as to avoid grounds of conflict with the English Parliament, they might reasonably assume that those gentlemen would not hold power long, but would be succeeded by another set of Irish statesmen who would assume the natural part of playing on the excitable disposition of their countrymen. Then difficulties would begin to arise. A Resolution, for instance, passed by the Irish Legislature on some cause of difference between the two Governments, appealing, perhaps, to the supposed patriotism of the Irish people, might be fraught with the most disastrous consequences to the maintenance of peace between the two countries. The right hon. Gentleman had told them it was their duty to act in this matter on the policy of trust. But when a man was about to marry his daughter to a young man who, no doubt, was to be thoroughly trusted, they did not exhibit that trust in drawing up the marriage settlements. On the contrary, the family lawyer treated the young man as if he were a worthless spendthrift. If that was the principle that guided them in private affairs, they ought not to show less care and caution in conducting the business of the nation. While he should support the Amendment of the noble Lord, he did not believe it would have any strong effect, for if the power

*Mr. E. Stanhope*



of passing Resolutions was taken away from the Irish Legislature they might still express their will and wishes indirectly, and in such a manner in regard to the Army as would make the position of British troops in Ireland perfectly intolerable. He believed that if the Bill was passed it would follow, sooner or later, as a necessary consequence, that the Imperial Government would be required to withdraw the troops from Ireland as the only means of preserving peace, for they could find no example in history where a Legislature such as was proposed to be set up in Ireland had been placed side by side with a garrison belonging to a dominant and separate Government. Such an experiment had never been tried even in countries where they had no strife, no passion long pent up, no ill-will, and no ill-blood fomented in the past, and certainly, of all countries in the world, Ireland was the last in which it should be tried. The Amendment, though he thought it did not go far enough, was a step in the right direction, and on that ground he should support it. The Irish Parliament, if it meant to be thoroughly loyal, could have no objection to it; while if it had no such intention, they could not lose sight of the fact that it might do tremendous harm by passing Resolutions, and the stipulation became all the more necessary.

ADMIRAL FIELD said, the Navy had been referred to as well as the Army, and, therefore, he felt bound to say what the Navy would think of any Resolutions passed by the Irish Parliament. The noble Lord had spoken of the difficulty which might be caused to the Army and Navy by the Irish Parliament passing a Resolution dealing with Supplies; and, of course, if he went to a Division, they would support him. But, as a naval officer, he would like to point out that naval men would be in a different position from the Army—they would be afloat. Every Captain would know how to handle his ship, and every Admiral how to handle his squadron, in spite of any number of Irish Resolutions. If an Irish Parliament attempted to pass any Resolution reflecting on naval men, or fettering their action, they would make short work of it. If they wanted Supplies, which were refused, they would do as Nelson did in a like case, when he said—

“If you do not send them we shall come and take them.” They would simply send their boats ashore, and there would be no difficulty with the butchers or provision merchants. They were entirely apart from the Sister Service, and knew how to protect themselves.

COLONEL NOLAN (Galway, N.) said, that after the speech of the hon. and gallant Admiral (Admiral Field) the noble Lord would probably withdraw that portion of the Resolution that affected the Navy. But he did object to the Irish Parliament being prevented doing things which it was already in the power of Poor Law Guardians to do. Soldiers were occasionally brought before Boards of Guardians in Ireland for the purpose of obtaining an order that they should be sent to England, and, of course, Resolutions had to be passed. As to Volunteers the provision was unnecessary, as there were none in Ireland. But why should not a Resolution be passed in favour of military camps dealing with shopkeepers instead of with the stores? Again, if a foolish officer built a magazine so near a town as to be a source of danger, why should not a Resolution of protest be permissible? There were no arsenals in Ireland, and he did not see why Resolutions should not be passed in favour of having one. He did not believe that the passing of Resolutions on any of the subjects he had mentioned would upset the Military Forces of the Crown.

Question put.

The House divided :—Ayes 150; Noes 189.—(Division List, No. 273.)

Further Proceeding on Consideration, as amended, deferred till To-morrow.

SHERIFF COURTS CONSIGNATIONS  
(SCOTLAND) BILL.—(No. 430.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

[Mr. A. O'CONNOR in the Chair.]

On Motion of The LORD ADVOCATE (Mr. J. B. Balfour, Clackmannan, &c.) the following Amendments were agreed to :—

Clause 4, page 1, line 26, after “bank,” insert “approved by the Sheriff.”

Clause 5, page 2, line 4, after “interest,” insert “if any.”

Z

On Motion of Sir C. PEARSON, (Edinburgh and St. Andrews Universities) the following Amendment was agreed to :—

Clause 5, page 2, lines 5 and 6, leave out “with regard to any consignment of less amount than five pounds.”

On Motion of The LORD ADVOCATE, the following Amendments were agreed to :—

Clause 5, page 2, line 7, at end, add, “The sheriff clerk shall not be liable for any loss resulting from the failure of any bank in which any consignment shall have been lodged as aforesaid.”

Clause 6, page 2, line 10, leave out from “amount” to “in,” in line 11, and insert “of consignations made and not paid out or otherwise accounted for.” Line 13, leave out “representing consignations of money made.”

Clause 9,

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress.

\*MR. J. B. BALFOUR said, there was only one clause of the Bill to be disposed of, and he therefore moved that the House resolve itself into Committee on the Bill again.

MR. SPEAKER : I think the hon. Gentleman is entitled to make that Motion, and I will, therefore, put the Question.

Motion made, and Question proposed, “That this House do immediately resolve itself into Committee on the Bill.”—(*Mr. J. B. Balfour.*)

\*MR. BARTLEY said, he had no objection to the Committee stage being continued. He only objected at 12 o'clock to carry out the Standing Orders of the House.

Motion agreed to.

Bill again considered in Committee, and reported ; as amended, to be considered To-morrow.

AGRICULTURAL EDUCATION IN ELEMENTARY SCHOOLS BILL.—(No. 78.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, “That the Bill be now read a second time.”

Objection taken.

MR. JESSE COLLINGS (Birmingham, Bordesley) appealed to the Irish Members to withdraw their objection, for the Bill merely proposed to give to English agricultural labourers some of the privileges which had been enjoyed for years by the Irish labourers.

MR. T. M. HEALY (Louth, N.) said, the Irish Members had brought forward a number of admirable measures, all of which had been objected to by the friends of the hon. Member. Tit for tat.

Second Reading deferred till Thursday next.

BLACKROCK AND KINGSTOWN DRAINAGE AND IMPROVEMENT (*re-committed*) BILL [*Lords*] (*by Order*).

As amended, considered ; Amendments made ; Bill to be read the third time.

ADJOURNMENT MOTIONS UNDER STANDING ORDER 17.

Return ordered—

“Of Motions for Adjournment under Standing Order 17, showing the date of such Motion, the name of the Member proposing, the definite matter of urgent public importance, and the result of any Division taken thereon in Session 1893 (in continuation of Return, No. 304, of Session 1892).”—(*Mr. J. E. Ellis.*)

CLOSURE OF DEBATE (STANDING ORDER 25).

Return ordered—

“Respecting application of Standing Order 25 (Closure of Debate) during Session 1893 (in the same form as, and in continuation of, Parliamentary Paper, No. 313, of Session 1892).”—(*Mr. J. E. Ellis.*)

SEA FISHERIES.

Report from the Select Committee, with Minutes of Evidence brought up, and read.

Report to lie upon the Table, and to be printed. [No. 377.]

COPYHOLD (CONSOLIDATION) BILL [*Lords*].—(No. 438.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress ; to sit again upon Monday next.

LAND TRANSFER BILL [*Lords*].

Read the first time ; to be read a second time upon Monday next, and to be printed. [Bill 443.]

House adjourned at ten minutes after Twelve o'clock.







## HOUSE OF COMMONS,

Friday, 18th August 1893.

## MR. SPEAKER'S ABSENCE.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker :—

Whereupon Mr. Mellor, the Chairman of Ways and Means, proceeded to the Table, and after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

## QUESTIONS.

## THE NATIONAL GALLERY.

MR. WHITMORE (Chelsea) : I beg to ask the Secretary to the Treasury whether the duties of the Director of the National Gallery have of recent years been practically limited to the selection and purchase of pictures ; whether he is aware that only two pictures were bought last year, and that until the Gallery is enlarged (which cannot be done for four or five years hence), there is no space in which more pictures can be conveniently hung ; whether, in view of the approaching vacancy in the office, he will consider whether it is desirable to appoint a new Director at a salary of £1,000 per annum, in addition to the Keeper and Secretary of the Gallery ; and whether the sum economised might be added to the sum allotted annually for the purchase of pictures ?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : The duties of the Director have in no way changed since the establishment of the office in 1855, and are by no means limited to the selection and purchase of pictures. The Director is the sole responsible officer for everything connected with the establishment. The number of pictures purchased varies, of course, very widely with the opportunities afforded. The acquisitions made in any given year form no criterion. Besides, the Director is equally responsible for the acceptance or rejection of the large number of pictures from time to time offered to the Gallery by gift or bequest. Although many of the rooms are at present much crowded under the indis-

pensable arrangement according to schools, temporary accommodation can always be found for pictures acquired, pending an addition to the building. There is no vacancy in the office of Director at present. When there is, no doubt the First Lord of the Treasury will consider with the Trustees whether any changes in the organisation of the Gallery are required.

## THE ARMY ACT.

MR. HANBURY (Preston) : I beg to ask the Secretary of State for War whether the Army Act embodying the whole of the alterations since 1881 has yet been printed in such a form as to be read as one complete Act, and to be more intelligible to those who serve under it than an Act requiring reference to some 20 subsequent Statutes ?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.) : The Army Act as amended by later Acts, including the legislation of the present Session, is now being reprinted by the Stationery Office, and will be issued shortly.

## PRELIMINARY EXAMINATION FOR THE ARMY.

MR. JEFFREYS (Hants, Basingstoke) : I beg to ask the Secretary of State for War whether he is aware that, in consequence of his decision to abolish the preliminary examination for the Army, the majority of the candidates who have already passed that examination have been put to great and unnecessary trouble and expense in preparing for, and in coming to London to pass, that examination ; whether he is still determined that these candidates shall not derive any benefit from having passed that examination ; and whether he will consider the advisability of not making the new Regulations retrospective, but will allow those candidates who have passed the preliminary examination to compete in the further examination for the Army on the same terms and conditions as formerly ?

SIR R. WEBSTER (Isle of Wight) : I beg to ask the Secretary of State for War whether, in view of the fact that the subjects in which candidates for the preliminary examination for the Army are examined are the following :—Euclid Book I., Algebra to Simple Equations,

Arithmetic to Simple Interest, French, Latin, Geography, Writing, and Dictation, he was correct in stating, in the month of July last, that the above examination was only equivalent to the Fourth Standard in elementary schools; when the new Regulations for Sandhurst will be issued; and whether candidates who have passed in the above subjects will have again to pass, or whether they will be treated as being already qualified in those subjects?

\*MR. CAMPBELL-BANNERMAN: As I explained on a former occasion, any candidate who has passed the preliminary examination will, when examined in the competitive examination, be relieved from the necessity of obtaining a minimum qualifying number of marks in the subjects which were embraced in the preliminary examination. So far he will have an advantage, but to exclude him from examination in those subjects would be a distinct loss to him, inasmuch as all the marks he would gain in any of them would count towards his total number of marks. The hon. Gentleman rather exaggerates the trouble and expense which the preliminary examination entailed, inasmuch as it was frequently undergone locally, without a journey to London. And it is intended that in future there shall be arrangements for localising the competitive examination. My hon. and learned Friend takes me to task for speaking disrespectfully of the preliminary examination. I used the comparison of it to the Fourth Standard, not as my own opinion, but as a quotation from a competent authority. It was a jocular comparison not meant to be strictly accurate; but I think if my hon. Friend considers that apart from an elementary examination in subjects which were embraced in the further examination, the special subjects of the preliminary examination were arithmetic, English, and geography—all of a simple character—he will agree that it could not reckon as a very formidable test of higher education. The new Regulations for entrance to Sandhurst are in the printers' hands.

#### THE CASE OF THOMAS FEENY.

MR. TULLY (Leitrim, S.): I beg to ask the Secretary of State for War what reply was given to the Memorial on behalf of Thomas Feeny, who was

*Sir R. Webster*

private (No. 388) for four years in the Second North Lincoln Regiment, Tenth Foot, from 1858 to 1862; whether he is aware that this man was invalided from the effects of sunstroke in South Africa, and sent home to his relatives in Ballinamore, County Leitrim, utterly destitute, and left a burden on them since; and whether, under the circumstances, some pension or compensation can be granted to him?

\*MR. CAMPBELL-BANNERMAN: No Memorial can be traced as having been received at the War Office on behalf of Thomas Feeny. The soldier was discharged in 1862 after less than four years' service on account of congenital mental imbecility. His papers do not refer to sunstroke in South Africa.

#### H.M.S. "APOLLO."

MR. GILHOOLY (Cork Co., W.): I beg to ask the Secretary to the Admiralty whether he has received solemn declarations made before a Magistrate by Thomas Goggin and John Regan, who allege that they have saved H.M.S. *Apollo* from being wrecked off Crookhaven Harbour; and whether, in view of the conflict of testimony between these men and the Captain of the *Apollo*, he will cause a sworn inquiry to be held into the circumstances connected with this matter?

THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): The hon. Member was so good as to hand to me the declarations to which he refers. The Admiralty have inquired into this case, and are of opinion that the fishermen were under an entire misapprehension in imagining that the *Apollo* was in any danger. No further inquiry regarding the occurrence can be opened by the Admiralty.

MR. GILHOOLY: I will draw attention to this matter on the Navy Estimates.

#### CORK, BANDON, AND SOUTH COAST RAILWAY COMPANY.

MR. GILHOOLY: I beg to ask the Postmaster General whether he will be prepared to give a subsidy to the Cork, Bandon, and South Coast Railway Company in the event of their running an additional daily train for the accommodation of the inhabitants of West Cork?

MR. E. BARRY (Cork Co., S.): At the same time, may I ask the right hon. Gentleman whether he has received copies of resolutions from all the Public Bodies in West Cork requesting that a better train and postal service be granted to that district; and whether he is able to comply with their wishes?

\*THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): I have received copies of certain resolutions on the subject referred to. As before explained, I am precluded from offering any subsidy to the Railway Company concerned by the fact the mail service in West Cork already entails a heavy loss to the revenue. I regret that it is not practicable to meet the wishes which have been expressed for an improvement of the service unless the railway service is improved by the Company.

MR. GILHOOLY: Is the right hon. Gentleman aware that his predecessor in Office offered a subsidy to the Railway Company if they would run additional trains?

MR. A. MORLEY: No, Sir.

MR. GILHOOLY: Will the right hon. Gentleman inquire?

MR. A. MORLEY: Yes, Sir.

#### ORANGE CELEBRATION AT PORTADOWN.

MR. FLYNN (Cork Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the house of a Catholic named John Furfy, of Portadown, was attacked on the night of the 12th instant by the members of an Orange Lodge returning from celebrating the "Closing of the gates of Derry," and the windows and furniture smashed, and the son of Mr. Furfy badly wounded in the head; what steps, if any, will be taken by the Police Authorities to bring the assailants to justice; and whether, in view of the frequent attacks upon the houses of Catholics by Orange drumming parties, steps will be taken by the police, whose barrack is within one mile of the scene of this occurrence, to afford full protection to the Catholic inhabitants of the neighbourhood?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): With regard to the first and second paragraphs, I understand that the alleged occurrence is about to form the subject of investigation by the

Magistrates at Petty Sessions before whom the facts will no doubt be fully elucidated. In reference to the last paragraph of the question, I understand it is not true that there have been frequent attacks on houses in the neighbourhood of Portadown, which is perfectly quiet and free from crime.

#### THE NEWFOUNDLAND (FRENCH SHORE) FISHERY QUESTION.

MR. J. W. LOWTHER (Cumberland, Penrith): I beg to ask the Under Secretary of State for the Colonies when the Papers, promised by Lord Ripon on the 29th June, relating to the Newfoundland (French Shore) Fishery question, will be laid upon the Table and circulated?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): The Papers were laid on the Table yesterday, and I have every reason to expect that they will be in the hands of Members by the 23rd instant.

#### NEWFOUNDLAND LOBSTER FISHERIES.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for the Colonies whether he has now received information as to the recent incident on the coast of Newfoundland, when the Commander of H.M.S. *Pelican* interfered with certain lobster-catching engines?

MR. S. BUXTON: The information on the subject is now to hand. The incident was purely British, and the French were not concerned. The late Commodore, to prevent disputes, defied the fishing grounds assigned to the different British lobster factories, which under the *modus vivendi* were allowed to continue in operation. This year the manager of one British factory encroached upon his neighbour's water, and, on his refusing to remove the lobster traps, obedience was enforced by the Commander of the *Pelican*, and the owner was informed that he must confine his operations to his own water.

#### THE CREWE EXHUMATION.

MR. BYLES (York, W.R., Shipley): I beg to ask the Parliamentary Secretary to the Local Government Board whether the Registrar General has taken any steps in reference to the case of Dr. Atkinson, of Crewe, whose conduct in

giving a certificate of death for a child whom he had not attended when ill led to the exhumation of the body and an inquest; whether he will read to the House any communication which the Registrar General has sent to Dr. Atkinson; and what opinion the Registrar General has expressed in reference to the action of the Coroner, Mr. Churton?

\*THE PARLIAMENTARY SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir W. FOSTER, Derby, Ilkeston): The Registrar General on the 15th instant addressed a letter to Mr. Atkinson stating that by giving the certificate as to the cause of death of Edith Prestwich he contravened the provisions of the Births and Deaths Registration Act 1874, and that the Registrar General had had seriously to consider whether he ought not to direct that he should be prosecuted for wilfully making a false certificate for the purposes of that Act. After a very careful consideration of all the facts, however, he had decided that it was necessary to take the extreme course of directing a prosecution, but he felt it to be his duty, seriously, to warn him to be very careful in future not to give a certificate of the cause of death in a case in which he had not attended the deceased, as he would be compelled to take proceedings against him if it were again brought under his notice that he had committed an offence under the Act referred to. As Mr. Churton, the Coroner, is not in any way subject to the jurisdiction of the Registrar General, I cannot make any statement as to any opinion entertained by the Registrar General with respect to Mr. Churton's action.

#### GOVERNMENT CONTRACTS IN SCOTLAND.

MR. KEIR HARDIE (West Ham, S.): I beg to ask the Secretary for Scotland whether Government contracts are given to the Clyde Bridge Steel Works and to Mossend Steel Works; whether he is aware that these firms are non-Union and pay their workmen less than Trades Union rates of wages; and what action he proposes to take in the matter?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): There are no Government contracts given by any of the Scottish Departments to the firms referred to in the

*Mr. Byles*

question of the hon. Member. I may add that in issuing contracts the Scottish Office has taken full precautions for acting in accordance with the Resolution of the House of the 13th February, 1891.

MR. KEIR HARDIE: Can the Secretary of State for War say whether these firms have any Government contracts?

MR. CAMPBELL-BANNERMAN: If the hon. Member will put the question down I will inquire.

#### THE GOVERNMENT AND THE NATIONAL TELEPHONE COMPANY.

MR. HOZIER (Lanarkshire, S.): I beg to ask the Postmaster General whether, in the interest of municipal telephone licences such as that applied for by Glasgow, he will, before signing it, submit the agreement between the Government and the National Telephone Company for the approval of the House?

MR. A. MORLEY: I would refer the hon. Member to the reply which I gave on the 31st ultimo to a question on this subject, which was put to me by the hon. Member for the Lowestoft Division of Suffolk (Mr. H. S. Foster).

#### CONTAGIOUS DISEASES REGULATIONS AT MALTA.

MR. W. M'LAREN (Cheshire, Crewe): I beg to ask the Secretary of State for War whether he has yet received an answer from Malta to his inquiry regarding the way in which the Contagious Diseases Regulations are carried out, more especially as to the soldiers being obliged to point out the woman from whom they say they have contracted disease?

\*MR. CAMPBELL-BANNERMAN: This Report has been received, but I have not yet had time to read it. I must ask the hon. Gentleman to repeat his question.

#### PUBLIC ROADS THROUGH THE CURRAGH.

MR. MINCH (Kildare, S.): I beg to ask the Secretary of State for War whether he is aware that an application was made to the Grand Jury at Kildare, at their last meeting at Naas, on behalf of the Military Authorities, for leave to close the public road passing through the



Curragh, and leading from Ballysax to Altigarvan and Newbridge; and whether, considering the widespread dissatisfaction which this action on the part of the Military Authorities has caused in the localities likely to be affected, and in view of the serious depreciation in the value of property, and the great inconvenience to the public which the closing of this road would involve, he will have inquiry made into the matter, and have the rights of the public protected?

**\*MR. CAMPBELL-BANNERMAN :** It has become necessary to close the road running through the camp at certain hours to allow of rifle practice. Application has been made to the Grand Jury who approve the closing of the road on certain conditions which are now under consideration, and which include the opening to the public of certain military roads and the maintenance at the War Department expense of other roads belonging to the county.

#### RECRUITING IN IRELAND.

**MR. HANBURY :** I beg to ask the Secretary of State for War whether his attention has been called to the statement, in the Recruiting Report of General Fielding, that in Ireland even those enlisted have been obtained with great difficulty from districts which 10 years ago provided the Army with an abundant supply of men of fine physique, and the chief causes are (1) great increase in number of emigrants, (2) the opposition of the Nationalist Party to the enlistment of any young Irishman in Her Majesty's Forces; and how the recruiting from Ireland for the first six months of this year compares with the corresponding six months of 1891 (the year referred to by General Fielding) and 1881 respectively?

**MR. CAMPBELL-BANNERMAN :** The enlistments in Ireland during the first six months of 1893 were 1,616, against 1,679 during the same period in 1891 and 1,472 in 1881; but these numbers are rather misleading, unless compared with the total number of recruits of the respective years. This cannot yet be done for 1893; but the Irish recruits raised in the first half of 1881 were 5·6 per cent. of the whole number of recruits of the year, while those of 1891 were only 5·1 per cent. At the same time, the proportion of men in the Army of Irish

nationality has fallen from 209 to 135 per 1,000.

#### DISTURBANCES AT PETERHEAD.

**MR. RENSCHAW (Renfrew, W.) :** I beg to ask the Secretary for Scotland whether he can now give more definite information as to the disturbances which took place at Peterhead; whether he proposes to institute a searching inquiry into the whole matter, on behalf of the Government; and what steps he proposes to take to prevent a recurrence of such a deplorable interference with the freedom of trade?

**SIR G. TREVELYAN :** I have ordered a full inquiry to be made by the Sheriff of the county, which, I understand, commences to-day at Peterhead. It would be premature to say more until his Report is laid before me and considered.

#### PROPOSED FRENCH CANAL THROUGH THE MALAY PENINSULA.

**SIR C. W. DILKE :** I beg to ask the Under Secretary of State for Foreign Affairs, in reference to the statement in *The Times* of Thursday, 17th August, that a French diplomatist of high standing has been sent to Bangkok to ask for a grant of land in connection with a French scheme for making a canal through the Malay Peninsula, whether there exist any Papers which can be laid before Parliament on the difficulties in the way of the continuation of such a canal?

**SIR E. GREY :** Her Majesty's Government were informed on the 18th of July that M. Myre de Vilers was being sent to Bangkok; but it is not known that his mission is in any way connected with such a scheme as that mentioned in the question. I must ask the right hon. Baronet to postpone the last part of his question till there has been time to examine the Papers.

#### THE BEHRING SEA AWARD.

**MR. GIBSON BOWLES (Lynn Regis) :** I beg to ask the Under Secretary of State for Foreign Affairs whether the Behring Sea Award imposes upon Great Britain the obligation to forbid pelagic sealing by British subjects at any time whatever on the high seas within a zone of 60 sea miles round the American sealing grounds on the Priby-

loff Islands, and also to forbid the use by British subjects of nets, firearms, or explosives, or the employment of any vessels other than sailing vessels in pelagic sealing, at all times and in all waters whatever of the Behring Sea, and further to forbid all pelagic sealing of any kind in the Behring Sea during the months of May, June, and July; whether it is the fact that, while the Award imposes these obligations on Great Britain as regards sealing on the high seas, it imposes no obligation whatever on the United States to forbid, restrict, or regulate sealing on land at any time; and whether the effect of the Award is to give a practical monopoly of sealing to the subjects of the United States, while depriving British subjects of any share therein?

SIR E. GREY: The prohibited zone round the Islands, and the nature of the prohibition as to the use of nets, firearms, or explosives, or of other than sailing vessels seem to be correctly stated, as also the close season during which sealing is prohibited; but Article 2 of the Award applies only to that part of Behring Sea which lies to the east of the line laid down in the Treaty between Russia and the United States of 1867. The Award imposes the obligations in question both on Great Britain and the United States as regards sealing on the high seas. It imposes no obligations either on Great Britain or the United States as regards sealing on land or in territorial waters. But the Arbitrators have in a separate Paper recommended that regulations should be made for this purpose. It is not considered that the effect of the Award is such as is described in the last paragraph of the question.

MR. GIBSON BOWLES: Is it not a fact that British subjects are deprived of any share in the sealing? What share, if any, have they left?

SIR E. GREY: I expressly stated that the statement in the last part of the question that they are deprived of any share in the sealing does not accord with our opinion of the Award.

MR. GIBSON BOWLES: Precisely; but what share have they left?

SIR E. GREY: Certain restrictions, but not total prohibition, are laid down.

*Mr. Gibson Bowles*

## POOR LAW GUARDIANS AND THE UNEMPLOYED.

MR. KEIR HARDIE: I beg to ask the President of the Local Government Board whether he can now state the extent of the powers possessed by Boards of Guardians for acquiring land and setting the unemployed to work thereon at reasonable wages; whether such employment necessarily implies the disfranchisement of the persons so employed; and whether he will issue a Circular to Boards of Guardians calling attention to their powers in this respect, and stating how far the Local Government Board is prepared to co-operate with them in putting such powers into operation?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. H. H. FOWLER, Wolverhampton, E.): I am not yet in a position to answer the question.

MR. KEIR HARDIE: When may we expect an answer?

MR. H. H. FOWLER: As soon as I receive the opinion of the Law Officers.

MR. KEIR HARDIE subsequently asked the right hon. Gentleman whether he was aware that the question was of urgent importance, and that a number of Boards of Guardians in the East of London were awaiting the decision of the Government, and whether he could bring pressure to bear on the Law Officers of the Crown to give their opinion as soon as possible?

MR. H. H. FOWLER: There is no occasion to bring pressure to bear upon the Law Officers of the Crown. The question they have to consider is one of the greatest difficulty, but I am sure they will give it every attention in their power.

MR. KEIR HARDIE asked whether the Law Officers were devising any amendment of the law, or whether they were simply going to advise on the existing law?

MR. H. H. FOWLER: They will simply advise on the existing law.

## PIGEON HOUSE FORT.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Secretary of State for War whether the few soldiers stationed at the Pigeon House could be temporarily

accommodated elsewhere, as their location in the fort is said to delay the progress of the main drainage scheme; and whether his Department and the Irish Government will co-operate in facilitating the commencement of this urgently needed improvement?

**\*MR. CAMPBELL-BANNERMAN:** This is not a question of a few troops who could be moved out at will, but of the Ordnance Store establishment for all Ireland. The men cannot be moved until the stores can be accommodated elsewhere. I would call upon the hon. Member to use all his influence, and I will certainly exert all mine, to bring about such an arrangement as I pointed to yesterday.

**MR. FIELD:** This delay is a very serious matter for the inhabitants of Dublin.

**MR. CAMPBELL-BANNERMAN:** It is equally serious so far as the War Office is concerned. At this place is situated the store establishment for the whole of Ireland. We are anxious, however, to meet the Corporation of Dublin as far as possible.

**MR. CLANCY (Dublin Co., N.):** What is the exact difficulty in the way?

**MR. CAMPBELL-BANNERMAN:** It is that the scheme has been pronounced by the Army Sanitary Commission to be injurious to the health of the occupants of Pigeon House Fort, and what we are now endeavouring to do is to get the Corporation to acquire the Pigeon House site on condition of giving us a site elsewhere.

**MR. FIELD:** Will the right hon. Gentleman come and live on the banks of the Liffey?

**MR. CAMPBELL-BANNERMAN:** I know the Liffey.

**MR. FIELD:** You know it so well that you avoid it.

#### VISITS TO IRISH CONVICTS.

**MR. CLANCY:** I beg to ask the Secretary of State for the Home Department whether an application made on behalf of representatives of the Limerick Amnesty Association for permission to visit John Daly and other prisoners confined in Portland Convict Prison has been recently refused; and, if so, why?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.):** Yes, Sir. The reason for the refusal was that given to the secretary—namely, that the privilege of visiting these convicts accorded by me on the express undertaking by the visitors that it would not be used for ulterior purposes, has been abused by the circulation in the Press and elsewhere of false statements as to the condition of the prisoners' health and as to their prison treatment.

**\*MR. CLANCY:** Is it not the fact that before the last visit paid to Daly by Mr. Frederick Allen, of Dublin, an intimation was given to the authorities that Mr. Allen intended to publish an account of the visit in the Press?

**MR. ASQUITH:** I know nothing about that. Mr. Allen was allowed to visit Daly on the express understanding that he would not publish a report of the proceedings, and not make any use of the visit except to receive news from and communicate news to Daly.

**\*MR. CLANCY:** The right hon. Gentleman has not taken any notice of the statement I made, that Mr. Allen announced that he intended to publish an account of the visit, and that he was allowed, notwithstanding, to visit the prison afterwards.

**MR. ASQUITH:** No such statement was made to me, otherwise Mr. Allen would never have been allowed to visit Daly.

**MR. CLANCY:** Seeing that some of the prisoners have no relatives in Great Britain or Ireland, and that the only visits they are likely to have are from members of the Amnesty Association, will the right hon. Gentleman re-consider his decision with regard to those against whom no fault is to be found?

**MR. ASQUITH:** I am extremely sorry that the prisoners should be deprived of such alleviation and comfort from the visits of outside persons, but the responsibility of the deprivation lies entirely with the persons who have violated the undertaking.

**MR. CLANCY:** Will the right hon. Gentleman re-consider his decision with reference to those persons against whom he has no fault whatever to find?

**MR. ASQUITH:** No, Sir; as at present advised, I cannot.

COMPULSORY INSTRUCTION IN  
SWIMMING.

DR. MACGREGOR (Inverness-shire): I beg to ask the Secretary for Scotland whether, in conjunction with the Vice President of the Council, they would consider the expediency of introducing into the Education Code a compulsory course of swimming lessons between the ages of 10 and 14, and thus prevent in a short time the loss of many lives from bathing and other causes?

SIR G. TREVELYAN: I am prepared, when the Code is next under revision, to make such change as will permit of instruction in swimming being recognised as an alternative to military drill, and to count as a school attendance.

## TELEGRAPHIC TRANSFERS IN INDIA.

MR. VICARY GIBBS (Herts, St. Albans): I beg to ask the Under Secretary of State for India whether, as the India Council yesterday accepted the best price offered for telegraphic transfers in India, it is to be understood that they will continue to pursue this policy; and whether he is aware that the acceptance of tenders yesterday at 15½d. has had the effect of sending Indian exchange down to 14½d.?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): No undertaking can be given as to the action that will be taken in the sale of bills on India, as it must depend on the amount and rates at which tenders are made. The Council of India does not fix any minimum rate below which no bills will be accepted. Usually tenders up to the advertised amount are taken, if the rate offered is not below the market rate of the day; but in a falling market tenders of very small amount are generally refused. On the last seven Wednesdays bills for 80,000 rupees above the market rate and transfers for 12 lakhs tendered at the market rate have been accepted; bills for 33,477 rupees and transfers for 4½ lakhs tendered at about the market rate have been refused owing to the smallness of the offers; and bills for 10 lakhs and transfers for 10 lakhs tendered below the market rate have been refused. Indian exchange has fallen to 14 13-16d. per rupee; but I cannot

undertake to specify the cause or causes by which this effect has been produced.

## THE CASE OF GENERAL NOBLE, R.A.

COLONEL NOLAN: I beg to ask the Secretary of State for War if he is aware that General Noble, R.A., who died lately from a sickness contracted on active service in India while Superintendent of the Powder Factories, leaves a widow and a large family in not too affluent circumstances; if he is aware that General Noble was the inventor of two brown powders, S.B.C. and E.X.E., and also the patentee of E.X.E., the patent of which now belongs to his widow; if, in consideration of the large amount of powder, 12,000,000 lbs., made on General Noble's plan, the War Office strongly recommended that his widow should receive an increased pension of £200 a year, and if the Treasury has refused this increase; and if the War Office will again recommend that either this pension should be awarded or else that a royalty of 1d. a pound should be paid on E.X.E. powder, patent 16,575, 1886, to General Noble's family?

\*MR. CAMPBELL-BANNERMAN: The Ordnance Council recommended that Mrs. Noble's pension should be increased by £200 a year. This recommendation was based, not upon the value of any patents, nor on the amount of powder produced, but on the excellent service Major General Noble had rendered in introducing improvements in gunpowder and its manufacture, and generally on his work as Superintendent of the Royal Gunpowder Factory. The granting of such pensions rests entirely with the Treasury, and that Department was not satisfied that any special pension was justified in this case.

MILITARY DRILL IN THE EXTREME  
HEAT.

X MR. PIERPOINT (Warrington): I beg to ask the Secretary of State for War whether he is aware that Major General Utterson's brigade was marched on the 16th nearly 14 miles up to 10.30 a.m.; that the men were allowed to march without their tunics; that the ambulance was full, and that several men were hanging on behind; that the thermometer stood at 83 degrees or thereabouts; that there were several cases of sunstroke at Lydd Camp; whether he



will inquire who is responsible for marching the men during the extreme heat; whether he will give instructions that no marching shall take place during the present weather except in the early morning and in the evening; and what number of men of the Regular Army are now or have been in hospital or on the sick list from sunstroke or other illness caused by the extreme heat since Sunday, 6th August?

**MR. CAMPBELL-BANNERMAN:** This question only appeared on the Paper this morning. I have called for a Report as to the alleged occurrences at Aldershot and Lydd, which I shall probably have on Monday. The last question refers apparently to the whole United Kingdom; and if the hon. Gentleman wishes to have the information, a considerable time must be allowed for obtaining it. As to the suggestion that I should issue general instructions, I must repeat what I said yesterday. I have perfect confidence that General Officers commanding will adapt their orders to the local circumstances, including in those circumstances the important element of temperature.

**MR. MAC NEILL (Donegal, S.):** In this Indian heat should not the troops be supplied with tropical helmets when drilling?

**MR. CAMPBELL-BANNERMAN:** These are matters for the Military Authorities to deal with, and should be left to the General in immediate command.

#### THE LOSS OF THE "VICTORIA."

**COMMANDER BETHELL (York, E.R., Holderness):** I beg to ask the Secretary to the Admiralty if it is intended to hold a special inquiry to find out why the *Victoria* capsized after being rammed?

**SIR U. KAY-SHUTTLEWORTH:** As I stated on the 10th instant, the Minutes of the Court Martial on the loss of the *Victoria* are being printed with a view to their full consideration by the Board of Admiralty. Meanwhile, answers to questions of this character must necessarily be deferred.

**COMMANDER BETHELL:** My question had nothing whatever to do with the Court Martial. I only asked whether a scientific inquiry could be insti-

tuted to find out why the *Victoria* capsized after being rammed?

**SIR U. KAY-SHUTTLEWORTH:** I think it has a great deal to do with it. Very full questions were asked by direction of the Admiralty at the Court Martial, and very full evidence was obtained as to the parts of the *Victoria* which were flooded. Until that evidence has been thoroughly investigated by the Admiralty, it is impossible, on behalf of the Admiralty, to answer whether a special inquiry is or is not necessary.

**DR. MACGREGOR:** Can the right hon. Gentleman say whether the second officer in command may exercise discretionary power to prevent such accidents?

**\*SIR U. KAY-SHUTTLEWORTH:** I am afraid I can only repeat the answer I gave to my hon. Friend on a previous occasion.

#### THE TERRACE.

**COLONEL NOLAN (Galway, N.):** I beg to ask the First Commissioner of Works if a bench on the Terrace is labelled House of Lords; and, if this is an innovation, why other benches are not labelled House of Commons?

**THE FIRST COMMISSIONER OF WORKS (Mr. SHAW LEFEVRE, Bradford, Central)** was understood to reply that this was a very small matter. The bench in question was obtained from the House of Lords, and the label on it had not been removed. It had no signification.

#### HEREFORD ELECTION.

**MR. RADCLIFFE COOKE (Hereford):** I beg to ask the Postmaster General on what ground a private telegram was despatched at the public cost by the Under Secretary of State for the Home Department during the recent election at Hereford, to the hon. Member for Hereford, instead of at the cost of the person by whom it was sent; and what is the Rule governing the despatch by Ministers and others of official telegrams on private business?

**\*MR. A. MORLEY:** The practice is for a responsible official to afterwards examine all telegrams sent us on the service of the Government; and if it appears that any of them are of a private nature, the senders are called upon to pay for them. I know nothing officially of

the telegram to which the hon. Member refers, but it will come under review at the proper time, and be dealt with in the manner I have described.

\*THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. H. GLADSTONE, Leeds, W.): Perhaps I may be allowed to say that I sent the telegram in question on the evening of Saturday last. I sent it with the full knowledge of the strict review under which all messages sent on Government forms have to pass at the Post Office. The hon. Member seems to me somewhat ungrateful, because distinctly one of the reasons which operated in my mind in sending that message on a Government form was to insure that he should get it that night. The hour was late, and if I had sent it on an ordinary form the hon. Member would probably have received it only on Sunday; and, as everybody knows, he was very anxious to get my reply. Perhaps, as a balm to his lacerated feelings, I may inform him that, in consequence of not having been in the House of Commons on the day his telegram was sent, I had to pay to my right hon. Friend the Postmaster General on it the sum of about 2s.

MR. RADCLIFFE COOKE: Arising out of that answer I may say I am very sorry the hon. Member was put to any expense. I shall be happy to repay him.

#### PLEURO-PNEUMONIA IN SCOTLAND.

MR. W. WHITELOW (Perth): I beg to ask the President of the Board of Agriculture whether, in view of the fact that pleuro-pneumonia has been introduced into Scotland by an Irish cow, he intends to put any restrictions on the movement of cattle from Ireland into Great Britain?

MR. W. FIELD: Has there been an outbreak in Ireland since September, 1892, as to which I sent a copy of an official letter to the hon. Member who puts the question. It is very unfair to the cattle.

MR. H. GARDNER: As to the question on the Paper, there is no evidence that the animal in question contracted pleuro-pneumonia before leaving Ireland, and the morbid appearances of the lungs were, in fact, quite compatible with infection after her arrival in Scotland. With regard to the prohibition of movement from one part of the United King-

dom to another, I can only say that I should resort to such a step with the greatest reluctance and in the presence only of the most serious danger; but I may observe that if the policy suggested by the hon. Member were adopted at the present time, it would be movement from Scotland to England, and *vice versa*, rather than movement from Ireland to Great Britain, which would have to be prohibited.

#### IRISH PRESBYTERIANS AND HOME RULE.

SIR T. LEA (Londonderry, S.): I beg to ask the First Lord of the Treasury if the Address recently sent to him by Irish Presbyterians recorded their convictions that an urgent necessity exists for an immediate revision of judicial rents; and whether the Government will at once introduce a Bill to carry this into effect?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): It is quite correct to hold that this, along with other very important demands on the part of that portion of the Irish Presbyterian community who did me the honour of addressing me in respect to the Land Laws, was made known to me, but I cannot separate these demands one from the other. It is not possible for the Government to introduce such a Bill, certainly not at the present time.

MR. T. M. HEALY (Louth, N.): May I ask the right hon. Gentleman whether he is aware that a Bill dealing with the revision of judicial rents has been brought in and moved constantly from the Conservative side by the hon. Member for North Fermanagh, and has been blocked with equal regularity by the Conservative Member for South Antrim?

MR. PINKERTON (Galway): May I ask the right hon. Gentleman to repeat the other points of interest in the letter?

MR. W. E. GLADSTONE: It is unjust of the hon. Member to ask me to repeat by heart a portion of the Presbyterian letter, especially as no notice has been given to me that I should at least commit it to memory. The hon. Member is most welcome to see the letter.

MR. PINKERTON: Am I right in saying that the letter expressed sympathy with the general policy of the Government with regard to Home Rule?

MR. W. E. GLADSTONE: Unquestionably; that was his main object.

MR. ROSS (Londonderry): Will the right hon. Gentleman afford an opportunity of investigating the names of the alleged Presbyterians, inasmuch as we believe—[*Cries of "Order!"*]

MR. W. E. GLADSTONE: When I have received letters from professional persons and others expressing their friendliness to Home Rule, they have contained an express reservation that their names shall not be divulged on account of the injury to their professional prospects they would have to undergo from even the suspicion of their being associated with friendliness to Home Rule. I do not recollect whether there is any such limitation in the present instance. If I find that there is not such a limitation, the hon. Member is perfectly at liberty, so far as I am concerned, to see the names.

MR. DEPUTY SPEAKER: Order, order! Any further questions in regard to this matter ought not to be asked without notice.

#### THE HOME RULE BILL AND THE ADJOURNMENT FOR THE RECESS.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the First Lord of the Treasury whether he can state, for the general convenience of Members, when the Government calculate that the House will be able to adjourn for the Recess; and what steps, if any, are proposed to be taken in order to secure that a reasonable time shall be allowed to elapse between the period of adjournment and the re-assembling in the Autumn?

MR. W. E. GLADSTONE: I am very sensible that it would be very much for the convenience of the House, and the Government are as anxious as anybody can be for the arrival of that happy period when the House can adjourn; but my hon. Friend will see that the Government are under certain specific obligations with regard to Home Rule and Supply, and, therefore, our contribution to the Business of the House is known and fixed. The thing that is not yet accurately known and fixed is the amount of impediment which we shall have to encounter in the shape of Amendments and collateral discussions. With regard to that impediment and that contribution to the length of the Sitting

of the House, it is obvious that gentlemen on the Opposition Benches and the gentlemen on the Benches behind my hon. Friend would be able to give a good deal more information than I can.

MR. HANBURY: May I ask the right hon. Gentleman by what right he describes as an impediment to the Business of the House the ordinary discussion of the Estimates which has been so much curtailed this Session?

MR. W. E. GLADSTONE: The hon. Member has entirely misapprehended the language I used. I never spoke of the discussion on the Estimates as an impediment to the Business of the House. I spoke of it as an impediment to the Adjournment of the House.

MR. DALZIEL: I beg to direct the attention of the right hon. Gentleman to the latter portion of my question?

MR. W. E. GLADSTONE: I am very much afraid I must return to him also what will be regarded as an unsatisfactory reply in regard to this portion of the question, which I thought was really involved in the former portion. My hon. Friend asks me

"What steps are proposed to be taken in order to secure that a reasonable time shall be allowed to elapse between the period of adjournment and the re-assembling in the Autumn?"

I do not see what answer that admits of beyond the fact that we are very desirous, first of all, that the Adjournment should arrive within reasonable time; and, secondly, that it should be found in our power to allow a reasonable vacation before asking the House to resume those labours which have in the present year reached such an extraordinary extension.

MR. HANBURY: If the discussion of Supply is to be an impediment to the Adjournment of the House, I wish to ask whether the right hon. Gentleman will consent to put Supply down for the Autumn Session?

MR. W. E. GLADSTONE: No.

MR. DALZIEL: Arising out of the answer to my question, I desire to ask the Prime Minister whether his attention has been directed to an important article upon Parliamentary procedure, with special reference to the possibility of what is termed obstruction in Supply, in which the following proposal is put forward:—

"If the House insists on its ancient Constitutional right to deal with Supply in Committee as a whole, then the only remedy (for the possible obstruction) appears to be for the House to fix beforehand, on entering on the consideration of Supply, the number of days which shall be given to each Class of the Estimates, and to order the Committee to report each Class at the expiry of the time named. The same action must be taken on the Report stage, if necessary——"

Mr. TOMLINSON (Preston): I rise to a point of Order. I wish to ask whether this question arises out of the question which the hon. Member put on the Paper?

Mr. DEPUTY SPEAKER: The hon. Member can put his question. I see nothing out of Order in it. The Prime Minister can answer it, or ask for notice, just as he pleases.

Mr. GIBSON BOWLES: On a point of Order, Sir, is the hon. Member justified, under the guise of asking a question, in reading a long newspaper article?

Mr. DALZIEL: I may be allowed to say, in explanation, that it is only fair to the writer that I should read the whole passage. It is a very short one——

"The same action must be taken on the Report stage, if necessary, and the Opposition would have to arrange among themselves those questions of policy and detail which they might desire to raise in each section, in order to concentrate their energies on those, instead of frittering time away."

Mr. HANBURY: I rise to Order. I wish to ask you whether it has not been constantly ruled by the Chair that quotations of this kind shall not be put down in questions, and whether that Rule does not apply in the present case?

Mr. DALZIEL: The quotation is finished.

Mr. DEPUTY SPEAKER: I was going to call the attention of the hon. Member to the fact that I think he is now decidedly exceeding the limits.

Mr. DALZIEL: I will simply put my question, whether, in view of the fact that the writer of the article is the right hon. Gentleman the Member for West Birmingham, the Government will be prepared, in the event of the necessity arising, to give the suggestion that consideration which its importance seems to deserve?

Mr. DEPUTY SPEAKER: It seems to me that this is a question of which notice ought to be given.

*Mr. Dalziel*

Mr. J. CHAMBERLAIN (Birmingham, W.): I think the question of the hon. Member shows the inconvenience of not putting questions of this kind on the Paper.

Mr. DALZIEL: I rise to Order, Sir.

Mr. J. CHAMBERLAIN: I claim, as a matter of personal explanation, to say that the article from which the hon. Gentleman has just quoted did not suggest that the House should deal with this matter, but that a Committee—a non-Party Committee—should be appointed, which might consider this and kindred subjects.

Mr. W. E. GLADSTONE: I do not think any advantage would arise from my making any comment on the subject.

#### THE CLOSURE RESOLUTION.

Dr. MACGREGOR: I beg to ask the First Lord of the Treasury whether he will take any measures within the power of the Government to bring to an end the Report stage of the Government of Ireland Bill, and so reduce the interval when the House might adjourn for a much required holiday?

Mr. W. E. GLADSTONE: I am glad to answer this question, because it gives me an opportunity of answering it in the form of a notice to this effect—that on Monday I propose to submit to the House a Resolution which, if adopted, will have the effect of securing the close of the proceedings upon the Report stage of the Irish Government Bill on Friday next, August 25. The terms of the Resolution will, I hope, be deposited on the Table within an hour or two.

Mr. J. CHAMBERLAIN (Birmingham, W.): I beg to give notice that when my right hon. Friend proposes that Resolution I shall move the following Amendment:—"That the proposal of the Government to curtail——"

Mr. MANFIELD (Northampton): I rise to a point of Order. [The rest of the hon. Member's remarks were drowned in cries of "Order!"]

Mr. J. CHAMBERLAIN: My Amendment will be——

"That the proposal of the Government to curtail Debate on the Irish Government Bill is calculated to degrade the House of Commons to the position of a voting machine, and to deprive the British majority in this House of



its Constitutional right to discuss a policy by which British interests will be seriously and injuriously affected; that this House, recognising no necessity for the course proposed by the Government, and believing that it is dictated by motives of Party expediency, calls upon the Government to withdraw their Resolution and to advise Her Majesty——"

**MR. MAC NEILL** (Donegal, S.): To send for you.

**MR. J. CHAMBERLAIN—**

"To dissolve Parliament at the earliest opportunity in order that the opinion of the electors of the United Kingdom may be taken on the merits of the Bill for the Better Government of Ireland, all the details of which were studiously concealed from them at the last General Election."

**MR. A. J. BALFOUR** (Manchester, E.): The right hon. Gentleman the Prime Minister, in the notice which he has just given, has, no doubt, informed us of the vital and essential particulars of the Resolution he intends to bring before us—namely, that we are not to be allowed to discuss the remaining 36 clauses of the Bill; but it would be a great convenience to the House if he would tell us the mode in which that Resolution is to be drawn. I do not mean the exact words, but I presume the Government have decided on the general principle on which they intend to act.

**MR. T. M. HEALY** (Louth, N.): Might I ask the right hon. Gentleman if he could tell the House who is the Leader of the Opposition?

\***MR. T. W. RUSSELL** (Tyrone, S.): When some evenings ago the Prime Minister promised to insert some Amendments in the 29th clause, it was pointed out that it would be necessary to re-commit the Bill for the purpose. I beg to ask the right hon. Gentleman whether any arrangement will be made for carrying out the pledge of the Government in this matter? While the right hon. Gentleman is about it, will he also tell us who is the Leader of the House?

**MR. W. E. GLADSTONE**: I am sure I shall not be expected to answer that question in view of the terms with which it concluded. As to the question of the right hon. Gentleman (Mr. A. J. Balfour), he has had a good deal of experience himself in drawing Resolutions of this nature. The Resolution will provide that at a certain hour on Friday

the matter shall be brought to an issue. It will be the same measure as has been adopted on former occasions.

**MR. A. J. BALFOUR**: No compartments?

**MR. W. E. GLADSTONE**: There are no compartments. The House sees that the right hon. Gentleman is well up in the matter of procedure.

**MR. BARTLEY** (Islington, N.) asked whether the Third Reading of the Bill was to be taken on Friday night?

**MR. W. E. GLADSTONE**: I suppose the hon. Member means to ask whether the Resolution includes a specification of the day for the closing of the Debate on the Third Reading of the Bill. It does not include that.

#### THE CASE OF JAMES THOMPSON.

**MR. ROSS** (Londonderry): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the case of James Thompson, who retired on 22nd May, 1893, from the Royal Irish Constabulary on a pension of £33 13s. 11d.; is he aware that Thompson entered the old Londonderry Police Force on 7th February, 1863, and, on its discontinuance, entered the Royal Irish Constabulary on 1st November, 1870, and, having regard to the 5th section of the 46 & 47 Vic., c. 14, whether the period of approved service in the old Londonderry Police Force ought to be taken into account for the purpose of reckoning the amount of pension payable on retirement; and why this has not been done in the case of James Thompson?

**MR. J. MORLEY**: The facts relating to the case of ex-Constable Thompson are correctly stated in the question, except that it was in the year 1864, and not in 1863, that he joined the old Londonderry Police Force. His case was carefully considered, both by the Government and by the Law Officers, previous to his discharge, and it was decided that there was no legal basis for allowing service in the Londonderry Force to count towards his pension.

#### SUMMER ATTIRE FOR THE POLICE.

**MR. E. H. BAYLEY** (Camberwell, N.): I beg to ask the Secretary of State for the Home Department whether he will consider the propriety of supplying

the police with lighter uniforms during the summer months?

**MR. ASQUITH:** This question has frequently been under consideration, and, in the opinion of the Commissioners, after consultation with the chief surgeon of the police, having regard to the variable nature of the Metropolitan climate and to all the conditions of the case, it would not be advisable to provide the Metropolitan Police with lighter attire during the summer months.

# ORDERS OF THE DAY.

## GOVERNMENT OF IRELAND BILL.

(No. 428.)

### CONSIDERATION. [TENTH NIGHT.]

Bill, as amended, further considered.

\***MR. H. HOBHOUSE** (Somerset, E.) moved in Clause 4, page 2, line 37, after "law," to insert the following subsection:—

"(1) Giving any undue preference to any trade or industry (including agriculture), in Ireland so as prejudicially to affect any such trade or industry in Great Britain, or."

He said he should not have moved this Amendment had he been satisfied with the terms of the Amendment which the Chief Secretary for Ireland (Mr. J. Morley) had placed on the Paper. The intention of his (Mr. Hobhouse's) Amendment was to protect British trade and British agriculture against the somewhat probable danger that would be incurred under the altered relations of the two countries in the event of the Bill passing into law. He believed that one of the first acts of the Irish Parliament would be to foster the native industries of Ireland, and to erect other industries which had not hitherto been able to take root in their country. He should be very sorry indeed to say that such an object was not most laudable in itself; but he thought that those on the British side of the Channel had a right to see that the methods adopted in forwarding that legitimate object were legitimate themselves, and were not likely to prejudicially affect their own trade and agriculture. It had often been said from the Treasury Bench during these Debates that the Government saw great advantage in securing uniformity in all trade matters; but, so

*Mr. E. H. Bayley*

far, he did not think they had quite carried out their own expressed intentions. By the Bill of 1886 the whole field of trade was excluded from the purview of the Irish Legislature; but the same could not be said of the present Bill. The First Lord of the Treasury had stated his opinion that all bounties would be illegal; but he had had to admit that there were other means besides bounties by which industries might be fostered with Government money. It had been pointed out that under the Purchase of Land Bill there were certain provisions of the most beneficial character for fostering and forwarding Irish industries by means of premiums. The fact that such an Act was passed by the Imperial Parliament, which contained plenty of British Members who were ready, as a rule, to protect the interests of British trade and agriculture, was surely no argument against placing some limitations upon the future Irish Parliament in such matters, with the object of protecting the interests of Great Britain. The benefit of the provisions he spoke of was strictly confined to those parts of Ireland which had suffered in the past, and were likely to suffer in the future, from the evils of famine and distress. Parliament had readily agreed to them in these exceptional cases; but whether it would have been prepared to devote large sums of money to the fostering of interests in other parts of the United Kingdom not so situated was a very different matter. Turning to the danger apprehended, it might easily happen that the Irish Legislature, wishing to encourage the production of butter of the first quality, which found a ready sale in the English markets, might consider themselves prohibited by the terms of the Bill from giving actual bounties, but might offer premiums of a very substantial kind for every hundred-weight of first-class butter produced in Irish dairies. He could not conceive that such a course would be contrary to any provision of this Bill as it stood. Such premiums would not be directly given with a view to promoting exportation, and yet the result to British producers of butter would be exactly the same as if they were actual bounties given for exportation. When any part of the United Kingdom exceeded certain limits in fostering a particular industry, and thereby inflicted an injury

on another part of the Kingdom, Parliament ought certainly to prohibit such action. The Irish Parliament might also erect new artificial industries which might be fostered for a time on such a scale as to seriously diminish the profits of British manufacturers, who at present had in many cases a hard struggle to make both ends meet, and who would certainly think themselves seriously injured if, in addition to bearing the competition of foreign markets, they had to meet a competition produced by artificial industries in Ireland. The clause proposed by the Chief Secretary did not appear to him to really deal with the matters he had mentioned. It was intended to protect individuals only, not trades or industries collectively. He had spoken hitherto only of direct means by which industries might be fostered, but he should like to give one example of a very obvious indirect way of helping them. The Irish Legislature might come to terms with the Irish Railway Companies by giving them subsidies, and imposing certain conditions as to special rates which might place industries in particular districts at a certain advantage. It had been alleged in Committee that the Irish Exchequer would have no money to spend on fostering industries. But under the new financial scheme that Exchequer was to have a clear surplus of £500,000 to start with, and therefore the Irish Executive would certainly have the means of carrying out any object of this kind which their Party might have at heart. The least the Government could do when it provided the Irish Legislature with a surplus of this description at the expense of the British taxpayer was to see that no class of the British taxpayer was directly or indirectly prejudiced or damaged by the application of that surplus. No doubt the Attorney General (Sir C. Russell), if he spoke, would ask who was to determine what "undue preference" was? His answer would be the same great tribunal as had been set up by the Government to determine such questions as "due process of law," and the nature of "just compensation." Those were expressions new to the English law, whereas the phrase "undue preference" had been undergoing interpretation by important tribunals in England for the last 40 years. If any Member would take the

trouble to look at the decisions of the Railway Commissioners, he would see that many of them, particularly those which dealt with special classes of merchandise and special trades in particular districts, had a very direct and clear bearing on such questions as he now proposed for the determination of a still more august tribunal. He was sorry that he had detained the House so long, and he would conclude by asking the Government to consider whether some modification in this direction was not required? They did not fear legitimate competition; but experiments might be tried which would not be legitimate, and, therefore, in the interest of uniformity, and to prevent any trade or industry in any particular locality being prejudiced, he begged to move the Amendment.

#### Amendment proposed,

In page 2, line 37, after the word "law," to insert, as a new sub-section, the words—" (1) Giving any undue preference to any trade or industry (including agriculture), in Ireland so as prejudicially to affect any such trade or industry in Great Britain, &c."—(*Mr. H. Hobhouse.*)

Question proposed, "That those words be there inserted."

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I am not sure that the hon. Member has noticed the provision made in the Amendment to the clause which stands in my name. The Government believe that this Amendment covers the whole of the ground so far as the argument as to "undue preference" is concerned. We submit that the word "undue" is not capable, in this connection, of anything like an accurate interpretation. The hon. and learned Member has referred to decisions under the Railway and Canal Acts; but he has evidently forgotten that the cases decided under those Acts were cases in which the words were capable of a definite interpretation—cases in which it was possible to discriminate between individuals and great firms or companies. Those cases did not deal with these large questions of International preference, and I believe, and I am advised, that they could not be relied on in such cases as this. How are we to deal with such large questions—how are we to show, in the case of a particular Irish

industry, what is undue preference as regards British trade? We cannot deal with such a question of International discrimination.

MR. H. HOBHOUSE: I have endeavoured to cover that.

MR. J. MORLEY: We cannot proceed to discriminate, because we cannot define the limit between the individual and a particular trade in a particular locality and a similar trade elsewhere. The Acts on railways and canals were passed to meet special cases. I would remind my hon. and learned Friend that grants have already been made in various districts in Ireland. The Congested Districts Board, for instance, has made a grant in favour of a shawl-spinning industry in the County of Galway. I cannot conceive that any premium which the Irish Legislature is likely to give from the same motives as those which animated this House in 1891 is at all likely to make any appreciable effect on British industries. There is no difference between the hon. Member and the Government, I think, as to the necessity of protecting British trade. But he referred to the butter industry. He spoke of the probability of the Irish Legislature putting a premium upon the production of certain superior qualities of butter. Yes; but how would that affect the corresponding trade in England? The Irish Legislature is assumed to do this on the possible ground that there would be a margin for exportation. If the hon. Member had mastered the details of the butter trade he would not have spoken as he did. I do not think it necessary to say much more. I have referred to the Act of 1891. There is another Act, that of 1888, under the provisions of which £5,000 a year was given to the Dublin Society to improve the breed of horses in Ireland. Is the House going to say to the Irish Legislature that they are not to do that which this House has sanctioned?

MR. H. HOBHOUSE: It is a question of degree.

MR. J. MORLEY: I submit with confidence that the Amendment which I have put upon the Paper covers practically all the ground of the present Amendment, and is more comprehensive in its terms. I, therefore, trust that my hon. and learned Friend will be content

*Mr. J. Morley*

to leave the subject he has now raised to be dealt with by my Amendment.

MR. J. CHAMBERLAIN (Birmingham, W.): I fully recognise the evident intention of the Government to do all they have promised in this matter, and I admit the great difficulty of that which they have undertaken. I would remind the House how the question really stands. We were dealing with a question of this character on one of the sub-sections of this clause. When that discussion was going on—a discussion on the subject of religious preference—I ventured to say that it was not a question of dealing with this question alone, but that there might be preference from political feeling—a class of preference much more common than religious preference. Thereupon the Prime Minister made a speech in which I may say that generally he agreed with me, and stated the propriety of dealing with preference as a whole, and not by separate attempts. He stated that indirect preference was a subject as worthy of consideration as direct preference, and we were promised that the matter should be considered before Report. I do not think my right hon. Friend used the word “undue.” I did use it in my speech, and I think he accepted it. The Amendment of my hon. Friend proposes to provide against undue preference. That was the question we were discussing when we got my right hon. Friend’s promise on behalf of the Government. I want now to show that there are two points in which the Amendment of my right hon. Friend does not go far enough. I would suggest that he should alter it by adding at the beginning “directly or indirectly.” That would carry out the Prime Minister’s promise on the subject. My right hon. Friend has now limited the prohibited preferences by the words “parentage, birth, or place in which the business is carried on.” Therefore an aggrieved person will always have to show to the Court that the preference of which he complains is a preference which has been given on account of his birth, parentage, or the place in which he carries on his business. I think it is probable those limiting words would exclude almost every case which is likely to arise. In the first place, it will be very difficult to prove the complaint. Take the case of butter or the woollen trade,



which the Irish Government might desire to foster. The Prime Minister has made a sound economic argument which commends itself to Free Traders, and which goes to show that such bounties injure the people who give them. But is he certain the Leaders of the Irish Legislature would be sound economists after the school of Cobden? It must be recollected in regard to this that leading Members of the Irish Party have expressed their own convictions that, at any rate, Free Trade is not good where you desire to create an industry. The question whether the action of the Irish Legislature would be economically sound or not does not concern us in the least—we are not bound to protect the Irish people against these economic heresies; but if those heresies injure the English people we are bound to protect our own people, and provide that they do not injure them. My right hon. Friend will admit that, although Protection may injure, for example, the French people really more than it injures us, still it does not injure us by preventing trade which otherwise we might be able to do with France. In the same way, premiums or bounties on butter or woollen goods would, if they were sufficient in extent and continued over a sufficient length of time, enable those industries to compete successfully with similar industries in this country. My right hon. Friend the Chief Secretary spoke as if he were really cognisant of everything connected with the butter trade. Well, if a premium were put on to enable the Irish to compete with other countries in butter-making, it would be impossible to say that such a premium would be given on account of the parentage of the butter-maker, and it would not be given on account of the place in which the manufacture was carried on, because it would be given to Cork and Belfast and Waterford, and any other place in which butter was made. There are a great number of other cases, but I will only suggest one or two of them. There is the case of Poor Law relief. Suppose exceptional Poor Law relief were granted to particular classes of persons—that would not be on account of the parentage or the place in which they lived, yet undoubtedly it would be held to be a case of undue preference unless the regulations were applicable to all persons in a position to demand Poor

Law relief. Yet it is perfectly certain a proposition of that kind will not be touched. Then we come to the case of preferences affecting railways. That would not be on account of the parentage of the directors, nor on account of the place in which the railway is carried on; but, at the same time, regulations affecting rates upon a particular line of railway might have a most injurious effect on one port as against another port which it was desired to favour. Again, there is the case of the fisheries. I do not think the proposal of the Government would cover that. There is competition between the trawlers and the linesmen. Hon. Members opposite (the Irish Members) are all in favour of the linesmen as against the trawlers, and the probability is they would carry out legislation which would have the effect of destroying the trawling trade for the advantage of the men who practise line fishing. That is a fair case for the Court to say whether it is an undue preference, but it could not be raised under the Amendment of the Chief Secretary. Why would it not be possible to levy dues on ships of a certain burden? The effect of that would be to keep out of port all boats above a certain size, thereby affecting particular industries to the disadvantage of others. That, again, would have nothing to do with the place of business or the place of birth. Preferences might be given between Corporations or Institutions. I can understand that it would be perfectly easy to lay down conditions for the receipt of contributions in aid of hospitals, which would enable certain hospitals to receive and prevent other hospitals from obtaining any advantage; and although there might be a hidden motive for such a preference which would bring them within the scope of the prohibitions, that hidden motive would not be declared. I have said enough to show that the Amendment of my right hon. Friend, although I fully believe it is intended to go as far as the pledge of the Prime Minister, will not actually cover all the cases which the Prime Minister himself must have had in view. We are not dealing with the preference which arises, as the Chief Secretary suggests, under the Congested Districts Board, or with any other case of that kind. Nor do I think any Court in the world would hold that such consideration as has been shown for

small and struggling industries, such as the shawl industry, to which my right hon. Friend has referred, was undue preference. My right hon. Friend says it is a difficult point to decide. But will it not be difficult to decide within the scope of his own Amendment? I understood him to say that, while it is perfectly possible for the Courts to decide upon what is undue preference in regard to rates, it would be difficult for it to deal with the matter generally. He will admit, I think, that some of these cases of rates that have been before the Court have been very difficult to decide. Every case has had to be decided on its merits. I confess that, if those questions could be decided, I do not think there should be any greater difficulty in deciding in these other cases. The difference, for instance, between North Wales and South Wales would not be difficult to decide in a matter of the kind. I admit that the Government have a difficult task before them; but, seeing that the clause clearly does not go as far as the promise which we understood was made by the Prime Minister, I hope the Government will consider whether they cannot accept the Amendment, or, at all events, whether they cannot carry their own clause further.

MR. SEXTON (Kerry, N.): The right hon. Gentleman the Member for West Birmingham is certainly very exact; and having now, I suppose, come to the conclusion that even his ingenuity will be unable to prevent the granting of Home Rule to Ireland, he is naturally very anxious to secure the adoption of provisions by which the Irish Parliament will be paralysed in the attempt to render any effective service to the material interests of Ireland. The right hon. Gentleman has referred to an Amendment by which the Chief Secretary for Ireland proposes to satisfy the demand in the present Amendment, and nothing will satisfy the right hon. Gentleman except that it shall be forbidden that the Irish Parliament shall directly or indirectly impose such disabilities and confer such advantages as are referred to in the Amendment. If such words were inserted as "directly or indirectly," I imagine that the Irish Legislature, in approaching the consideration of any Bill which proposed to deal with the material con-

cerns of the Irish people and with the improvement of their condition, would be in extreme doubt whether it was competent for them to consider any such Bill; and, in fact, the effect of the insertion of the words would be to paralyse the Irish Legislature by inducing a doubt as to any Bill concerning the material interests of the country—a doubt as to whether they could proceed with it or not. If you will apply yourselves to a provision of this kind, the least which we may expect is that you will say plainly what you mean. Instruct the Irish Legislature what they are not to do, and they will, no doubt, obey you; but do not deliberately use words which would leave the Irish Legislature in doubt as to the powers which you intend them to exercise. The right hon. Gentleman has suggested that the words "on account of" are not apt. It is proposed to be forbidden to the Irish Legislature to impose disabilities or confer advantages on any subject, "on account of parentage or place of birth." I should imagine that that would be an effectual provision, as between Englishmen or Irishmen, with regard to any action of the Irish Legislature which could be alleged to be due to prejudice and nationality, or preference for the people of their own country. These words are objectionable to the right hon. Gentleman, because they afford a judicial basis—because they refer to facts which, if they were proved, would fairly entitle the tribunal to condemn or annul the action of the Irish Legislature. What words would the right hon. Gentleman substitute? He has not stated what words he would substitute. I presume he would prefer some terms which would leave the matter in doubt, and which would render, it possible, for the Judicial Tribunal to attack the Irish Legislature upon grounds of prejudice and presumption. If the reason for voiding the Act is not to be plainly referred to, the Irish Legislature would have no certainty in regard to its duties. We require plain words, which would leave your meaning beyond all doubt, in order to let the Irish Legislature act with confidence in any material concern whatever. There is a phrase in this Amendment of the Chief Secretary for Ireland to which I would wish to direct the attention of the Attorney General, and I hope for some statement

*Mr. J. Chamberlain*

at the proper time on the subject. There is to be no disability nor any advantage conferred upon any individual "by reason of the place where any part of his business is carried on." I had supposed that the words referring to parentage had disposed of the matter as between Irishmen and those who are not Irishmen. Do these words, "or place where any part of his business is carried on," mean the part of Ireland where his business is carried on? There was some suggestion that the Irish Legislature, by reason of the probable predominance of the Nationalist and Celtic element, might legislate or act in a manner prejudicial to the interests of Ulster. I at once admit that the most efficient safeguard against any such result would have my consent. I am desirous that the people of Ulster and the people of the other parts of Ireland, both as to disability and advantage, should be treated with the utmost impartiality by the Irish Legislature. Do these words as to the place mean to differentiate between the people of Ireland and the people of Great Britain? I feel great difficulty in interpreting the phrase "undue preference" when used in this connection. I know what "undue preference" means in the Court of Railway Commissioners. It is plain enough, both in itself and by a long series of judicial decisions, when applied to a Railway Company or a Steamboat Company in regard to their dealings with different traders in different localities. What do you mean by the phrase in the case of the Irish Legislature which legislates for Ireland, and not for Great Britain? If the Legislature legislated both for Ireland and Great Britain, then I could understand the application of the phrase "undue preference;" but the Legislature of Ireland legislates only for Ireland; and when you prohibit the Legislature of Ireland giving any undue preference to the people of Ireland as against the people of Great Britain, I desire to ask what you mean? Why do we want Home Rule for Ireland? In the first place, it is almost a purely agricultural country, and the agricultural industry needs to be developed. The system of agriculture in Ireland is crude in the extreme degree. The fisheries about the coast are decaying, because there are no proper boats or gear for the fishermen. The

want of a domestic and sympathetic Government has brought Ireland to the brink of ruin. Why do we want a domestic Government apart from political rights? We want it in order to bring about the material development of the country; and the main function of the Irish Legislature undoubtedly would be to instruct the people, if they had the money, to spend it in a better system of agriculture, in aiding the development of the fisheries, and in generally encouraging the development of Irish industry, so far as their resources may allow. If the Irish Legislature proceeds to improve the condition of the Irish people to enable them to raise better crops, to raise more valuable cattle, to secure a readier market and a better price for their products, is that "undue preference"? If the Irish Legislature helps Irishmen to do what is the main object of Home Rule—that is, to get out of their misery and poverty, to enable them to bring more products into the market, and to command a better price—is that "undue preference" because it may interfere with similar industries in England? If that is your object you had better deny us a Legislature altogether, because it would be worse than useless. It would create a state of feeling the last stage of which would be worse than the first. You would give us an Irish Legislature, and would take away from that Parliament the power to do what is the main function of every Parliament in the world, and that is to improve the material condition of the people of the country. I think the matter of this Amendment is the subject of a great deal of exaggerated solicitude on the part of hon. Gentlemen; and I cannot help commenting upon the mean, jealous, and, I would say, tyrannical and unfair spirit, displayed in Amendments of this kind coming from gentlemen representing the wealthiest country in Europe, with an annual income of £1,300,000,000 sterling, endeavouring to apply these paltry and wretched proposals to the case of the poorest people in Europe—a people steeped in misery—a misery in a great degree the effect of your rule, of your agricultural laws, and of the restrictions by which you jealously prevented us from progressing. There only can be any question of efficient competition between Ireland and you in respect of industries which you have not made your own.

The most that Ireland can do is to eke out the resources of agriculture by the establishment of small industries to which you do not apply yourselves. There can be no real competition there, and when any gentleman rises in this House and suggests that the powerful, wealthy people of England desire to cripple the Legislature of Ireland in the endeavour to advance its people in these by-paths of industry and thrift, in which your great industries are not concerned, he mistakes the sentiments of the people of this country, and is not a true exponent of their minds. I certainly, for my part, desire to be understood as objecting to the insertion of any words in the Bill as will prevent the Irish Legislature from bringing the people out of beggary by instructing them in agriculture and developing the fisheries. I think it against reason that the people of England and Scotland should desire to keep Ireland in beggary in order that there should be no "undue preference." The right hon. Gentleman has referred to my humble opinions upon the subject. He said that I was satisfied with the financial arrangement. I am not satisfied with the financial arrangement; and if the right hon. Gentleman would refer to my speech when the Bill was in Committee he would find that I stated there that not only did I not approve of the financial arrangement in this Bill, but that I stated that when the existing charges of Government have been paid, and the new charges laid upon Ireland by the Bill have been paid, we will have no substantial surplus—perhaps no surplus at all. Irishmen will not pay new taxes for the purpose of developing industries for the benefit of individuals, as there will be no surplus. We cannot raise new taxes, in consequence of the excessive taxes already levied in Ireland. I assure you that the fear of any system—either of bounties or premiums—in Ireland is entirely illusory. It tries our patience in a severe degree to find these Amendments put forward against evils and results of a purely visionary character. I trust that the Irish Secretary will take the first opportunity of informing us whether, in the event of the passage of a Bill by the Irish Legislature to confer some advantage in material concerns upon the people of Ireland, or upon any part of Ireland, to produce

*Mr. Sexton*

better crops or more valuable cattle, or to develop the fisheries—whether the conferring of such an advantage upon the people of Ireland, or any part of them, would be the conferring of such an advantage as is contemplated in this Amendment, or would be held to impose disabilities? We may as well understand the matter now—whether the Irish Legislature will be tied hand and foot, or may apply itself to the material improvement of the people? I would prefer to know the truth now. If it is a welcome truth, so much the better. If it is an unwelcome truth, we had better know it now than hereafter. So far as concerns the Amendment of the hon. and learned Member opposite, I can understand it in no other sense than that anything done by the Irish Legislature which would improve the material condition of the people of Ireland would be held to prejudicially affect the people of Great Britain. Such an Amendment would paralyse the hands of the Irish Legislature in regard to what I consider one of the primary duties of a Legislature.

MR. GOSCHEN (St. George's, Hanover Square): It is fortunate that this very interesting question has turned up rather early in this stage, and not towards the end, because, if this Amendment had stood later on the Paper, in all probability the hon. Member for North Kerry (Mr. Sexton) would not have had the opportunity either of making the very interesting speech we have just listened to, or of extracting from the Government the information which he considers to be extremely important for his purpose. I am very glad the hon. Member for North Kerry has intervened in this Debate, and has put the matter on a footing which we, at all events, can understand. He informed us—and it was a very interesting piece of information—that the real origin of the demand for Home Rule in Ireland was in order to improve the material condition of the country.

MR. SEXTON: I said apart from political light.

MR. GOSCHEN: I did not hear that phrase, but I will not be certain.

MR. SEXTON: If the right hon. Gentleman did not hear it, it was not because I did not say it, but because the right hon. Gentleman did not listen.



MR. GOSCHEN: I apologise for not having heard it, but I can assure the hon. Gentleman that I was listening, I may say, with all my ears, because I considered it a very important speech. However, the question is, what part does the improvement of the material resources of Ireland play in this matter? I understand from the hon. Gentleman that it plays a very considerable part, and that a desire for the improvement of the material condition of Ireland is the origin of the demand for separation from the wealthier country.

MR. SEXTON: Separation!

MR. GOSCHEN: Well, separation of the Governments, so that Ireland may be free to do what it likes with its own resources, instead of receiving any aid from the great resources of the richer country. Now, we understand that the Irish people believe that, from a material point of view, it would be a great advantage to have Home Rule with a Government having a domestic and sympathetic consideration for their interests. I may say that, considering the efforts which the House has made to develop the fish-  
[Ironical laughter from National Members.]  
industries, and other industries, to build schools and other institutions for the teaching of those industries, it is very ungrateful for hon. Members below the Gangway to take up such an attitude. Hon. Members below the Gangway may laugh, but the benefits to Ireland have been immense. It is well to remember that there are two different questions now before us. One is the Amendment of my hon. Friend, and the other is the Amendment of the Chief Secretary. It would, however, be to the convenience of the House if the answer which the Government may have to give in interpretation of their own Amendment should be given when that Amendment is before the House rather than on the present occasion, because there are several matters we desire to be clear about with regard to the language of that Amendment. With regard to the language of the Amendment of my hon. Friend which is now before us, it is clear that the difficulty of interpreting the words "undue preference" has been exaggerated by the Government, and it will be perfectly easy for the hon. Members to interpret them. The Chief Secretary asked us whether we would

wish to apply such an Amendment to the work of the Congested Districts Board, and to the grant of £5,000 for horses to the Royal Society of Ireland. I should say certainly not. Such a thing has never been contemplated by any person on this side of the House. It was perfectly unnecessary to make these insinuations. We grudge none of the grants given to assist in these directions the prosperity of Ireland. We have no wish, and it was monstrous for the hon. Member for North Kerry to attempt to put into the mouth of the right hon. Gentleman the Member for West Birmingham any desire to retard the prosperity of Ireland—

MR. SEXTON: What I considered monstrous was the attempt, by Amendments to this Bill, to prevent the Irish Parliament from doing for Ireland what you have done for yourselves.

MR. GOSCHEN: The hon. Gentleman has no right to say that by Amendments we have attempted to prevent the Irish Legislature from doing that which we have done ourselves. It has not been suggested by the Mover of the Amendment or by the right hon. Gentleman the Member for West Birmingham; and I say distinctly that there is nothing in the Amendment which would prevent the Irish Legislature from taking such steps as we have taken in the past to develop Irish industries.

MR. SEXTON: Read the Amendment.

MR. GOSCHEN: I have read it. No Court would hold that "undue preference" would exclude grants to the Congested Districts Board, or for the production of a better breed of horses. The same thing is done in England. There is no undue preference in that. Hon. Members below the Gangway wish to force us on this Amendment, as they have tried in many other cases, to accept principles which we repudiate and to put language into our mouths that we have never used. I say again that we have no desire whatever to impede the Irish Legislature in taking any such measures as we have taken in the past. But what does the hon. Member for North Kerry want? It is very right and natural that he should want it. He wants the Irish Legislature to have a freer hand in the development of Irish industries. He considers that it might be the duty of the

Government, and would probably be their intention, to develop Irish industries, not only in the direction of establishing better schools for agriculture and fishing, and assisting the Congested Districts Board, but by putting the industries of Ireland on a more advantageous footing than the industries of England and Scotland with the aid of bounties.

MR. SEXTON : The right hon. Gentleman has exactly reversed my argument. I spoke of instruction and practical training ; and as regards bounties, I said it was useless to fear them, as we would not have the money, and the people would not submit to new taxes.

MR. GOSCHEN : We all agree that the Irish people should have instruction. But the whole argument of the hon. Gentleman and his friends was that the development of Irish industries should be raised to a much larger system than now exists, and the Irish Parliament should be free to pass any measure that may be necessary to encourage the Irish people to compete more successfully with other people. That is all perfectly natural. It is one of those difficulties that arises from the subject itself. You give the Irish a separate Government, but you are afraid of your own constituencies, and you will not give them fiscal liberty, and that difficulty will turn up over and over again—will turn up in these Debates and afterwards in practice. Let the Government give the Irish Government power generally to deal with this matter, so that the industries of Ireland may be promoted without regard to the corresponding industries of England. Will they take the line taken by the hon. Member for North Kerry (Mr. Sexton) and say—“England is a rich country ; let us do as we like without fear of competition” ?

MR. SEXTON : I never said so.

MR. GOSCHEN : The hon. Gentleman has not said so ; but his sole argument is that Irish industries should be stimulated, and he distinctly stated that Great Britain is not to be afraid of competition ; that is his general argument, and I think it is not an unnatural one. The whole argument of the hon. Member and his friends is that they know much better how to arrange for the industries of Ireland than the Parliament of Great Britain is ever likely to know ; that they

would be able to take those measures with regard to the industries of Ireland, which could not be taken by the Imperial Parliament. That is the creed of hon. Members below the Gangway. But, I say, let us be clear on this point—Will the Government go further in that direction, and say they think they should give more latitude to the Irish Government with regard to finance ? That seems to be the logical result of the steps they have taken, and it is useful to my hon. and learned Friend to extract from Irishmen some light on the question. I myself think, as has been said by the hon. Gentleman, that if the farmers of Great Britain knew that by fiscal means of one kind or another the whole of the butter industry or the whole of the cattle industry was to be favoured in Ireland, they would strongly object to it, and object to it on the same lines as the Prime Minister objects to the separation of the trade between Ireland and Great Britain. I ask the hon. Member for North Kerry (Mr. Sexton) to let us know precisely where we are, and how far the Government are prepared to give a free hand, or at what point they are prepared to say the Irish Government shall not be allowed to assist and endow Irish industry in competition with a corresponding industry in this country ?

MR. JEFFREYS (Hants, Basingstoke) desired to say a few words in support of the Amendment of his right hon. Friend, which he thought was intended to prevent the proposed Irish Parliament giving premiums or bounties to the agricultural industry of Ireland. The hon. Member for North Kerry (Mr. Sexton) said he desired not to be left in doubt on this point. He (Mr. Jeffreys) thought the Amendment was a most intelligent one, as it put clearly before them the dangers to which they were exposed in all the agricultural counties in England. If the proposed Irish Parliament were to be allowed to give premiums, or rather to give bounties upon agricultural produce in Ireland in future, he was quite certain the agricultural counties of England would not return Members to support the present Government. It had been said by the right hon. Gentleman the Chief Secretary for Ireland that already they had a precedent for this, because they gave the Queen's prizes for horses, but

*Mr. Goschen*

so they did in England; they did it all round, and if they were to have these bounties let them have them all round; if it was to the interest of the country that bounties should be given on butter or other agricultural produce, then it should be done all round; but the taxpayers would be averse to paying anything to give bounties only to the farmers of Ireland. He did not say this in hostility to the Irish farmers, but he would call the attention of the hon. Member for North Kerry (Mr. Sexton) to this fact—that many of the farmers in England and Scotland were in great poverty—that they were quite as poor as any farmer in Ireland. He would also like to remind the House that the Irish farmers already had many advantages over the English farmers: the Irish farmers paid less Income Tax than the English farmers did.

AN HON. MEMBER: So they do in Scotland.

MR. JEFFREYS said, that was so; but the farmers paid less in Ireland than the farmers in England or Scotland. ["No, no!"] Yes, they did. This question was fought out on the Budget, and the Chancellor of the Exchequer was obliged to admit that he (Mr. Jeffreys) was right. But, without going into that, he desired to call attention to what the Chief Secretary said—that he did not think the Irish Parliament would be inclined to give bounties on butter; and if they did it would only be for the production of good butter, in order that the production of butter might be better and cheaper. But he (Mr. Jeffreys) thought that the hon. Member for North Kerry (Mr. Sexton) and his friends would be likely to give these bounties. There was an analogous case in their Colonies. In the Colony of Victoria they gave something like 2d. a pound on every pound of butter that was exported to England. The same bounties might be given in Ireland, and though, possibly, the Irish farmers might benefit, yet at the same time they would be taking the bread out of the farmers' mouths in England, and it would be most unfair for this Parliament to pass any law that would give an undue preference to any portion of the United Kingdom. There was only one other matter to which he wished to draw attention, and it was this—the hon.

Member for North Kerry (Mr. Sexton) said that he, and others with him, would like to improve the material prosperity of the people of Ireland. Of course, and they also would like to improve the position of the population of this country. But how could they if they were to be hampered in this way? Not only were they now undersold and hampered by foreign competition, but if they were to have this further bounty-fed competition at their very doors, it would be the last straw that would break their backs. He did not see how the English farmer would get on at all if the Bill passed with this clause in it as it stood. He thought the English, Scotch, and Welsh Members should support the Amendment not out of hostility to the Irish farmers, but out of friendship with their own agriculturists, and in order that every one might be placed on the same footing, and that if any bounties were given they should be given all round.

\*MR. CLANCY (Dublin Co., N.) said, the late Chancellor of the Exchequer (Mr. Goschen) expressed surprise that one of the objects of the Irish Legislature was to improve the material prosperity of Ireland. An affected surprise of that character was not wholly inconsistent with some of the right hon. Gentleman's previous declarations, for he remembered the speech of the right hon. Gentleman in 1886 in which he indulged in a variety of prophecies as to what Irish Members would do when they got Home Rule. The right hon. Gentleman excluded the idea of the Irish Members doing anything sensible at all, for he declared they would repeal the laws with regard to murder and theft, and that they would pass a law to change the whole of the Judicial procedure. He did not understand what a Home Rule Parliament would be for if not to improve the position of the Irish people. Political liberty was, in his opinion, the very highest thing they could aspire to, and he would not give it up even for material prosperity; he would rather be governed by Irishmen and governed badly than be governed by this House and governed well. [*Laughter.*] Those who laughed at that statement showed a very small and slight appreciation indeed of their position as free men. He would like to know what would be their attitude if the case were reversed. Suppose they were asked to link themselves with France on

condition that they were better governed; would they submit to that for a single moment? No, they would prefer their insular liberty, even though it might not be so beneficial to them commercially; therefore, he said that, for his part, he regarded personal liberty as the highest thing they could aspire to, and which they did aspire to, in looking for Home Rule. After that he did not know what a Home Rule Parliament would exist for except to improve the material prosperity of the people; a Parliament ought not to exist if it did not do all it could to improve the material prosperity of the people. The right hon. Gentleman said they were ungrateful for the doles and bounties extended to them by the late Administration. In the first place, it was rather extraordinary to ask them to be grateful for getting their own money; every ld. the late Government gave to Ireland was given out of Irish money, and the right hon. Gentleman asked them to be grateful for it. He would remind the right hon. Gentleman there were Irish Members who, during the existence of the last Parliament, and when these grants were under consideration, warned the Government that, although they would not reject these gifts, and would even ask for more, they would never be grateful for them; and, for his part, he said they would never be grateful for any gifts that were obviously and almost avowedly given them to shut their mouths about the question of political liberty. And if the Tory Government should ever come in again, and should propose further gifts—and he believed they would propose further gifts—he told them they need not expect any gratitude for them; on the contrary, they would receive these gifts; they would ask for more and more of them; they would ask for so many of them that there would not be ld. left of the surplus they got from Ireland, and, after all, they would remain perfectly ungrateful. That, at all events, was a plain declaration, and he hoped it was satisfactory. When he saw Amendment after Amendment put on the Paper, and heard speech after speech in support of them, and found that every Amendment and every speech was calculated to deprive the Irish Parliament of every particle of power it ought to possess for advancing the material prosperity of

*Mr. Clancy*

Ireland, he could only come to the conclusion that those who put them down meant to do exactly what their Amendments and speeches expressed. ["Hear; hear!"] Yes; and what they expressed was that the Irish Parliament should not have the power to do a single thing to improve the material prosperity of Ireland. Let him call attention to the change of front of the late Chancellor of the Exchequer, who said they did not wish to stop the work of the Congested Districts Board and the encouragement of horse-breeding by the Royal Dublin Society. That was exactly the reverse of what the right hon. Gentleman had said up to the present, because up to now the operations of the Congested Districts Board and the granting of prizes by the Royal Dublin Society had been defended on the ground that Ireland now was under the control of the Imperial Parliament, and that Home Rule was not the law of the land, the inference being that if Home Rule were granted these operations would be against the interests of England, and would not be allowed by England. He had never heard anything so mean as most of these propositions and discussions raised by these Amendments. Let them consider the history of Ireland and the way in which England had treated the industries of Ireland. Two hundred years ago the English people began it when they presented a Petition to King William asking him to suppress the woollen industry of Ireland; and ever since then, all through the last century by one means, and all through the present century by another means, they had extinguished the industries of Ireland; and now that Ireland was going to have the management of her own affairs, Member after Member got up and appealed to the trade jealousies and the worst passions of the English people in order to deprive the Irish Parliament of every particle of power of improving the industry of the country. He never heard anything so mean, and he should despise himself, if an Englishman, to use such means to put down the struggling Sister Island. One would imagine that the condition of the two Islands were reversed; that England was the poor, neglected, penniless country; that Ireland was the great overwhelming and monied country; and that if they did not stretch out their hand in this, that, and the other direction, poor, shivering Eng-



land would be gobbled up by the great and powerful country that lay to the West of it? It seemed to him, he repeated, that all these speeches and Amendments were the meanest things to be found in political history, and he hoped, before the Debate closed, that for the credit of England some Englishman would get up and denounce them as an Irishman would. It seemed to him that all the fears that were expressed were absolutely without foundation. If they had any common sense at all in Ireland they would desire to stand well with the English people, and therefore would not be likely to adopt means to injure the English people; they would try to benefit their own country, but not to injure England. He repeated the demand that had been made by the Member for North Kerry (Mr. Sexton), and he wanted to know whether such operations as could be done now by the Congested Districts Board, by the Royal Dublin Society, or similar undertakings, would be forbidden by the Amendment of the right hon. Gentleman the Chief Secretary for Ireland? [Mr. J. MORLEY shook his head.] Although the right hon. Gentleman seemed to have replied they would not be forbidden, he (Mr. Clancy) did not feel quite certain in his own mind. The Amendment was in very general, very wide, and very far-reaching terms; and though he did not profess to be a lawyer competent to give an opinion on the subject, he could easily imagine that almost nine out of every ten projects which an Irish Parliament might undertake without the slightest intention of giving any undue preference to their own country, might fall within that Amendment and be forbidden. Therefore, before he could vote for it, he should like to have an explanation of its meaning, and he only regretted that the Debate was not upon the Amendment of the Chief Secretary for Ireland instead of upon this Amendment.

MR. JESSE COLLINGS (Birmingham, Bordesley) thought the speech they had just listened to had very little to do with the Amendment of his hon. Friend behind him. From the speeches of the Prime Minister and hon. Members opposite one would think there was no such place as Great Britain; but though the fact seemed to be ignored, there was such a place as

Great Britain, and such people as Englishmen; he gave every credit to the hon. Member for North Kerry (Mr. Sexton) for the speeches he made in regard to the Bill, because when he spoke he made clear what the Government ignored, evaded, or concealed. One great advantage of the gag was that the moment it was applied they were favoured with these valuable speeches from the Irish Benches. He did not complain of them, because they learned more from the speeches of the Irish Members, and particularly from the speeches of the hon. Member for North Kerry (Mr. Sexton), as to the meaning and intentions of the Bill, than they learned from the speeches of Ministers. But there was one matter in which the hon. Member for North Kerry was a little hard upon the Opposition speakers; he said their opposition was couched in a mean and tyrannical spirit. The hon. Member must remember that, though they recognised his right to get every sixpence he possibly could out of the pockets of the British taxpayer, yet, as the Representatives of the British taxpayer composed the large majority of that House, they were altogether opposed to the process the hon. Gentleman would like to see carried out; therefore, while they did not complain of the hon. Member being ready to get every sixpence of advantage at the expense of Great Britain, they must be allowed to defend the interests and the pockets of the British taxpayer without being called mean and tyrannical. What was there in this Amendment—for he considered the hon. Member who had last spoken (Mr. Clancy) and the hon. Member for North Kerry (Mr. Sexton) had conveniently or accidentally ignored the Amendment moved by his hon. Friend (Mr. H. Hobhouse). The Amendment did not interfere with any legitimate improvements of the industries of Ireland; and if hon. Members would read the end of it, which contained the governing words, the undue preference was not to take place except it prejudicially “affect any such industry in Great Britain.” These last words would not interfere with any legitimate improvements in Irish industry. From the speech of the hon. Member for North Kerry (Mr. Sexton) they found that though the Bill prohibited Protection,

the Irish Legislature intended to get as near to it, by hook or by crook, as they possibly could, and here, again, he did not complain of the speech of the hon. Member. The late Chancellor of the Exchequer spoke of their having full fiscal liberty. Did anyone in his senses believe that the Prime Minister could himself suppose that a Home Rule Bill of this character could be given to the Irish Parliament without full, definite fiscal power to the extent, even, of managing their Excise and Customs? Fancy a Canada without the management of their Excise and Customs! He did not think hon. Gentlemen could conceal from themselves, as was said by the late Chancellor of the Exchequer, that this was only the first step towards full fiscal liberty. He only knew that if he were an Irishman he should ask for that liberty. The Chief Secretary said the Amendment which he had put down would meet every requirement. The right hon. Gentleman's argument was a twofold one—first, that his own Amendment met the point at issue, and next that they could not define what "undue preference" meant. The latter argument had been disposed of by previous speakers. Take a case where premiums or bounties should so lower the price of butter or cheese that it should be found in consequence of this the British producer was driven out of the market. He thought the Courts would say that was undue preference. On the other hand, if money were spent on improving the quality of the breed of horses or cows, the Courts would equally say that was not undue preference. The Chief Secretary asked if they supposed it likely that the Irish Government would give premiums in order that the British people might eat better butter at a lower price. The right hon. Gentleman had only to refer to Continental nations. They allowed us to eat cheap sugar, and the Danes allowed us to have cheap butter, so long as they wished to create that industry. The Irish Government were likely to share the opinion of Denmark, or any other nation, in giving bounties in order to create or increase a particular industry. The Amendment now before the House touched in no way the legitimate improvement of industries; it only aimed at preventing undue preference which would prejudicially affect a similar

*Mr. Jesse Collings*

trade or industry in Great Britain. The hon. Member for North Kerry spoke of the poor in Ireland. They had poor in England as well. The small cultivators and others connected with the agricultural industry were poor enough, and they were struggling hard to make both ends meet. And what was the proposition of Her Majesty's Government? It was to give power to the Irish Legislature—a power which, according to the speech of the hon. Member for North Kerry, they would use to the utmost extent they could—to interfere with the poor and small agricultural producers in this country in the two particular things—cheese and butter—in which they at present were struggling to make both ends meet. It was well to let the country understand what this meant; therefore, he was thankful that that which the Government had concealed from them the Irish Members, in their candour, had abundantly made plain. The small cultivators of this country were, first of all, to be competed with by undue competition—at any rate, an Amendment to prevent such a thing was refused by the Government—and, next to that, they were to furnish £500,000 a year to afford money for that competition. In other words, they were to pay for the rope to hang themselves. The Government, elected to do so much, particularly for the small agriculturists, had done it in this fashion—they had introduced into this Bill the possibility of unfair competition with these poor English cultivators, which might have a grave and oppressive effect on them. It was not an imaginary danger, because they had seen other nations on the Continent who were not bound by Imperial law doing that thing to the detriment of the English producer; and now they should have Ireland, who also would not be bound by the Imperial law, following suit, as they were candidly told by the Irish Members they intended to do as far as they could. He did not wonder at the Prime Minister wishing to shorten the discussions on this ill-timed and misshapen Bill. The more it was discussed the more became apparent the injustice which was being done to the struggling poor producer of Great Britain, and particularly of England, who was to be sacrificed, economically and in every

other respect, to the mad proposals contained in this Bill.

MR. A. J. BALFOUR: The styles of the speeches of the hon. Member for North Kerry (Mr. Sexton) and of the hon. Member for North Dublin (Mr. Clancy) do not resemble each other; but, at all events, in the matter which they laid before the House, they have both made an appeal to English Members on account of the poverty of Ireland, and they both made a call on British sympathy for the poorer and humbler industrial partner in the partnership which at present exists in the United Kingdom. I think there is a great fallacy underlying this argument. Of course, it is true that in Ireland there is a district in the South and West in which poverty of a very serious kind exists, and has always existed—not poverty which is increasing, but poverty which, as far as I know, is diminishing—but a poverty which, in spite of this diminution, still undoubtedly does require, in my judgment, the fostering care of this House and assistance from the public funds. But, Sir, to quote the congested districts of Ireland as if the whole of Ireland was a congested district—to talk of the North and East of Ireland and of the South-East of Ireland as if they resemble in any economical particular at all those very congested districts, is to play upon the ignorance of the average English Member. It is a grotesque allegation, and this practice of Irish Members coming forward *in formâ pauperis*, and appealing to our generous emotions in regard to a large part, at all events, of Ireland can only be successful before a tribunal ignorant of the very elements of the problem.

\*MR. CLANCY wished to say at once that he repudiated making any *ad misericordiam* appeal to any part of that House. He had never done so, nor would he ever do so.

MR. A. J. BALFOUR: I will not dispute with the hon. Member whether the appeal was an appeal *in formâ pauperis* or not; but, at all events, it was an appeal the basis of which was the extreme relative poverty of Ireland as compared with England. The hon. Member was not content with discussing the existing poverty in Ireland; but he went back to the last century or two, and to the Whig legislation by which

Irish industries were dealt with in a deplorable manner, and crushed out of existence some 200 years ago. That, undoubtedly, represents a condition of policy and of commercial jealousy which everybody regrets, but which was universal at the time; and it is no special reproach to this country, of all countries in the world, that they carried out a policy which, of course, their descendants now regret. On the contrary, never has there been a country with large dependencies which, broadly speaking, taking the whole of its history together, has treated these dependencies through a long period of years with more justice and generosity than England.

MR. MAC NEILL (Donegal, S.): What about the woollen trade?

MR. A. J. BALFOUR: If the hon. and learned Gentleman had condescended to listen to my speech, he would know that it was the woollen trade which I was referring to particularly. But, Sir, it is perfectly absurd for Irishmen to go back, with regard to the greater part of Ireland, to these ancient wrongs, and pretend they are special reasons for permitting legislation which would now be injurious, not merely to Ireland, but to England also.

\*MR. CLANCY: The right hon. Gentleman made them a special reason himself, when he introduced his Drainage Bill a few years ago.

MR. A. J. BALFOUR: The hon. and learned Gentleman is perfectly right, and had he done me the honour to follow me, he would know that I made a special exception. I said with regard to these prosperous parts of Ireland that it is absurd to revive these old controversies. But, coming to the present time, what is the contention of my hon. Friend who has moved this Amendment? He says—and surely he says with justice—that there are industries, or may be industries, in Ireland which do compete, or may compete, in future with England, in which those who carry on the industries in Ireland may, in all natural circumstances, be as well-situated as their competitors in England, but where the balance may be altered in favour of the Irish traders by Irish legislation which we should not permit in this country. Now, who can deny that it is a possible state of things? At the present moment, with regard to the great Irish industry of agriculture,

I should say that the Irish agriculturist was and is as well-situated, if not better, in a large part of Ireland as compared with his British brother ; and to say that because England is larger than Ireland therefore England owes specially generous treatment to Ireland is to be guilty of a great confusion of idea. This is not a question of the comparative area of the two countries, or of their comparative population. It is, or ought to be, simply a comparison as between the capacity of the two countries to carry on particular kinds of industries ; and undoubtedly it is the fact that there are, or may be, in Ireland among agriculturists and others cases in which the Irish producer would be, from natural causes, at least as well-situated as his English brother ; and, therefore, it would be a grave injustice on that English brother if we were to set up an Assembly in Ireland with a special endowment, from the point of view of a surplus, which, according to the view of the Government, would be used, as I understand the hon. Member for North Kerry, for the very purpose of promoting those industries which may or may not come into competition with similar industries here. There is only one further point I wish to dwell upon, and that relates to the Congested Districts Board. Hon. Gentlemen have argued as if the result of this Amendment, if carried, would be to prevent any further subventions by the Congested Districts Board of industries in the South and West of Ireland. I do not so read the Amendment. The Amendment reads "giving any undue preference to any trade or industry." I quite admit that the case mentioned by the right hon. Gentleman opposite of giving assistance to a struggling woollen manufacture in a poor district of Connemara is, undoubtedly, a case of preference. But that money being given on account of excessive poverty of a district and in connection with a general scheme for raising it up, I do not think any Court in the world would contend that that was a case of undue preference. An analogous case, I think, was mentioned. I understand if a Railway Company were to give tickets at a specially cheap rate for taking poor children to a pic-nic, that would, undoubtedly, be a case of preference ; but I am also advised that no Court of Law in the world

would say it was undue preference. They would say there were special reasons for these special circumstances which, while it left preference, took it out of the category of undue preference ; and the eleemosynary—I do not use the word in an offensive sense—the eleemosynary legislation of the Congested Districts Board would, it appears to me, under no circumstances, by even the most strict interpretation of a Court of Law, who knew its business, be described as a case of undue preference. The whole House is agreed on the policy of the Congested Districts Board. Neither the Government, nor we who are responsible for the creation of that Board, nor hon. Gentlemen below the Gangway, however much they may differ as to particular proceedings, object to the general principles of that Board ; and none of us desire to see that Board hampered in its operations. We think that, by the word "undue," all danger is entirely obviated ; and, therefore, we are left face to face with this simple problem—whether we are, or are not, to prevent the Irish Parliament from dealing with that part of Ireland which is every whit as prosperous as many parts of the United Kingdom, and granting special terms by which the producers in these districts shall have advantages over their brethren on this side of the Channel ?

\*MR. EVERETT (Suffolk, Woodbridge) said, that in this rather long Debate a great deal of eloquence and indignation and valuable time had been consumed to very little purpose and for this reason—the Amendment they were discussing, so far as he could see, was simply, in other words, asking for what was provided for by the Amendment which had been put on the Paper a little lower down by the Chief Secretary on behalf of the Government. The Amendment under discussion forbade the Irish Parliament giving any undue preference to any trade or industry in Ireland in competition with the industries of Great Britain, whilst the Amendment of the Government forbade the Irish Parliament doing anything by which subjects of the Crown resident in Great Britain might be placed at any disadvantage in comparison with subjects of the Crown resident in Ireland. It would take a very clever man to see any essential difference between these two points ;

*Mr. A. J. Balfour*



and all the endeavours of the right hon. Member for the Bordesley Division (Mr. Jesse Collings) to make capital for the Party which he adorned as against the Party of the Government, as being more desirous to benefit the small agriculturists of Great Britain, fell entirely to the ground. By the words which the Government desired to have incorporated in the Bill, every subject of the Crown residing on this side of the Channel was entitled to have precisely the same treatment meted out to him which was to be given to his fellow-subjects on the other side of the Channel. That being the case, he (Mr. Everett) was of opinion that they had wasted a great deal of time in discussing the Amendment, when the Government had one on the Paper almost precisely similar to it, and which they were ready and willing to accept.

MR. RENTOUL (Down, E.) said, he considered the discussion on this Amendment had been extremely valuable, as enabling the agriculturists of England to see exactly where they stood. Speaking from the Irish point of view, he stood in this position. He was not able to support the Amendment which had been proposed, because, if a Legislature was to be established in Ireland, from the point of view of the Unionists it would be a Legislature that would probably tend very much to damage trade in Ireland. The only one thing left to the Irish people to live by would be agriculture; and if the Irish Legislature, in whatever wisdom they might possess, thought that by giving bounties, or by any other methods they might devise, they could improve the agriculture of Ireland, they were bound to do so, quite irrespective of whether the agriculture of England suffered or not. The Irish agriculturists in the Irish Parliament must, consequently, think of themselves. That Parliament would be returned almost entirely by the agricultural vote. There would also be 80 Irish Members in the Imperial Parliament, and he thought the proper policy for the Irish Parliament would be to grant bounties with regard to agriculture in Ireland, and then for her Representatives in the English House of Commons to vote against the English Parliament granting similar bounties in England, so that the agriculturists of Ireland would be in a more advantageous

position than their English brethren. In all human probability, bounties would be largely granted to agriculturists in Ireland; and, representing an Irish agricultural county, he should not object to it. He did not know, as at present advised, that he would not support such a scheme. But with the urban vote in England being so strong the English agriculturists could not, for one single minute, expect to have such bounties granted to them. They would be left out in the cold, the Irish agriculturists standing on a totally different footing. If English agriculturists were satisfied with that state of affairs, he, for one, could not have any possible objection, and he did not think that Irish Members representing agricultural constituencies could feel themselves justified in voting for the taking away of such a power entirely from the hands of the Legislature in Ireland. Of course, the Unionists did not desire any such Legislature to be set up in Ireland; but if it were, as it would have a free hand in so many other matters, it would not be to the advantage of anybody that it should be tied with regard to this particular matter.

\*MR. T. W. RUSSELL said, that as he intended to vote for the Amendment he was not inclined to give a silent vote. Had it not been for the speech of the hon. Member for North Kerry (Mr. Sexton), he should probably have abstained from voting; but the speech of the hon. Member had made his course perfectly plain and clear. The hon. Member had told the House that he could not conceive what an Irish Parliament should exist for if not to develop Irish resources and encourage Irish manufactures. He (Mr. Russell) had not much faith in this spoon-feeding process at all. He came from a part of the country where it had not been applied, where they had made their own manufactures, and got on without that spoon-feeding which seemed to be necessary in other parts of Ireland. The hon. Member for North Kerry said, that although this development of resources was to be undertaken, the Irish people would not stand further taxation? He wanted to know how it was to be done if there was not to be taxation? Were loans to be raised? If so, who were to pay the interest on these loans? He could see perfectly well what would happen. The Province of

Ulster would be made to pay for this spoon-feeding in the South and West of Ireland; and he had not the slightest notion of encouraging any such system. He quite agreed with the hon. and learned Gentleman opposite (Mr. Rentoul) in desiring to get as much as could be got for Ireland. He believed more could be got from the Imperial Parliament than from an Irish Parliament; and he, therefore, preferred that no Irish Parliament should be set up. He could plainly see what was meant when this Irish Parliament got to work. This development was to take place with money provided by the North of Ireland—a state of things he strenuously objected to.

\*SIR R. TEMPLE (Surrey, Kingston) said, he desired to protest against the statement of the hon. and learned Gentleman the Member for North Dublin (Mr. Clancy) that the English Members who intended to vote for this and other Amendments were really anxious to prevent a Home Rule Parliament in Dublin from doing anything to promote the material welfare of Ireland. That was absolutely incorrect. Only a few days ago they on that side of the House supported the hon. and learned Member for Harrow (Mr. Ambrose) in an Amendment to give the new Irish Parliament all the necessary powers for promoting the material improvement of Ireland. If ever an Irish Executive should be established, they were prepared to give it full power over the material improvement of that country under several specified heads, which together comprise every sort of public work and physical development. That far they should go and no further, but to say that they desired to handicap the Irish Parliament so as to prevent the material improvement of that country was a charge as ungenerous as it was incorrect. He was willing the Irish should have as much of local government as should give the ratepayers and electors every legitimate opportunity of improving or extending their industries. But he could never consent to the use of illegitimate methods pertaining to an unsound economic system which they did not wish to have carried out in any part of the British Islands.

\*MR. STRACHEY (Somerset, S.) said, he felt bound to vote for this Amendment. He confessed he had some doubt

as to the course he should adopt; but he had been decided to take the course he indicated by the views set forth by the hon. Member for East Down (Mr. Rentoul). He would not do anything to prevent the people of Ireland developing their resources by means of technical education, dairy schools, and butter schools, as was done in England; but he could not for one moment assist hon. Members in making protectionist experiments in Ireland. They had heard the hon. Member for North Kerry, who said he attached great importance to the power which it was sought to give the Irish Parliament in this respect. In the part of the country which he (Mr. Strachey) represented, they were not very wealthy—they were suffering from most severe depression, both in trade and agriculture, which it would take them some time to get over, and it was not for them to have premiums put on Irish produce to facilitate competition with themselves. On that ground, and in no spirit of hostility to the Irish agricultural or other interest—on the ground that they should have free and open competition—he would have to record his vote as he had stated.

\*MR. BARTLEY (Islington, N.) said, the last speaker said that if he did not vote as he had decided to do he would injure his position in his constituency.

MR. STRACHEY: No, no!

\*MR. BARTLEY said, the hon. Gentleman's attitude showed that the supporters of the Government were getting into a dangerous position. If the Amendment did not affect the hon. Member's own case and constituents, he would vote for the Government; but, as it was, he preferred voting the other way with the Opposition. This showed how liberal and generous some people could be in matters that did not concern their own interest. This was a question which he (Mr. Bartley) had raised in Committee, and, acting on the advice of the Leader of the Opposition (Mr. A. J. Balfour), he had not intended saying anything upon it now; but, as they were to have the closing of the Debate next Friday, he thought they had a right to be heard. They did not wish to prevent the Irish having any power that they considered they ought to have in the matter; but they wished to deal with the question, as they were entitled to

do, as one that concerned their own people in England and Scotland. The hon. and learned Member for North Dublin (Mr. Clancy) told them that the Irish Parliament would have nothing to do if it did not promote the material welfare of the people of Ireland. They agreed that it must be the duty of every Parliament to promote the well-being of the people who elected that Parliament. But the real point was whether they were going to allow Ireland, at their expense, to so promote industries in Ireland as to injure the people of this country? He candidly said that his first interest was in England—in Great Britain. He had an interest in the welfare of Ireland; but, if it was a question as between the two, he would vote for England. Ireland might look to her own interests; but were they going to allow Protection in Ireland to the injury of the manufactures of their own country? He really must protest against the idea. There was no question upon which the working classes of this country, with whom he (Mr. Bartley) was largely associated, were so keen as that of unfair competition. Yet now, at the end of the 19th century, the Government were going to allow one part of the United Kingdom to have the power of Protection. If the Government were attacked upon this, they would repudiate the idea; but he ventured to assert that, if the Irish Legislature ever had the means and the power to promote industry by bounties, there would soon be no Free Trade in the United Kingdom. He (Mr. Bartley) was a strong Free Trader, and he was not ashamed to confess it, and there was a strong spirit in the country upon the subject; but if this great Liberal Party—and it was not that—was going to allow Ireland to have Protection of Irish industries, it would live in the memory of the British people as the Government that had done its best to destroy the Free Trade of the country. They could not get over it. They were going to allow Ireland to put bounties on her manufactures, especially on the agricultural industries. The Irish Members had said over and over again that they would have Protection. [*Cries of "No!"*] Yes; for Mr. Parnell distinctly stated it, and he was their greatest Leader, and his memory was still the greatest in Ireland. He said they

would have bounties; and it was because of that, and because the Irish said that, that the Government could not resist it. The Prime Minister would agree with the Amendment if he dared, but he was not his own master. As an English Representative, and one associated with the working classes, he (Mr. Bartley) said they would make this known in every part of the country. They would preach it from the house-tops. [*Cries of "Oh!"*] Yes, they would; they would make it known from one end of the land to the other that the Government were ready to give this power, which would seriously injure the trader, the farmer, and the labourer of this country. Had it been known at the last Election that they contemplated taking such action, not one in 1,000 or in 10,000 would have supported the Government.

MR. P. J. POWER (Waterford, E.) said, he would like to ask the hon. Gentleman who had just sat down whether he was aware that the late Lord Carnarvon distinctly made an offer of bounties—

MR. BARTLEY: Were you there?

MR. POWER said, that offer was made during Lord Carnarvon's famous interview with Mr. Parnell; and he recollected that after that a number of them (the Irish Members) were sent to the North of England to advocate the Tory cause—

MR. A. J. BALFOUR said, he would point out to the hon. Member that Lord Carnarvon was not now able to reply to those statements. He might point out that similar statements had long since been proved to be groundless.

MR. POWER said, he had a distinct recollection of the circumstances. [*Cries of "Vote!" and "Divide!"*] That was all he wished to say.

Question put.

The House divided:—Ayes 112; Noes 157.—(Division List, No. 274.)

MR. POWELL-WILLIAMS (Birmingham, S.) said, an Amendment stood on the Paper in his name as follows:—

Clause 4 page 2, line 42, after "belief," insert "or to the raising of any tax, or to the appropriation, directly or indirectly, of any part of the Irish Public revenue, or of any tax, duty, or impost imposed by the Irish Legisla-

ture, for the purpose of, or in connection with, religion, or for the benefit of the holders of any religious office as such."

It would shorten their consideration of the question which it raised if he said that he was willing to accept the suggestion which had been made by the Chief Secretary. The right hon. Gentleman proposed that, instead of the terms of the Amendment standing in his name, the following words should be inserted in the place indicated by him :—

"Or receive or appropriate directly or indirectly, save as heretofore, any public revenue for any religious purposes."

But he wanted to make an appeal to the Chief Secretary to go a little further, and to accept also the words—

"Or for the benefit of the holders of any religious office as such."

If he was willing to accept these words, it would be unnecessary for him (Mr. Williams) to labour the contentions he had embodied in his Amendment as it stood.

MR. J. MORLEY signified his assent.

MR. POWELL-WILLIAMS said, he was much obliged. On the question of Order, he did not know whether he should move his own Amendment, or move one embodying the words he had suggested?

MR. DEPUTY SPEAKER: The hon. Member can bring up the amended Amendment—his own Amendment, but, of course, in the amended form.

MR. POWELL-WILLIAMS said, he moved accordingly. He wished to say that he should like to know whether the words "save as heretofore" would imply that there was anything in the Bill in front of this Amendment which would give liberty to the Irish Legislature to do anything which the Amendment would keep them from doing? He would direct attention to the proviso in Clause 3 as to the powers of the Legislature. He begged to move the Amendment.

Amendment proposed,

In Clause 4, page 2, line 42, after the word "belief," to insert the words "Raising or appropriating, directly or indirectly, save as heretofore, any public revenue for any religious purpose, or for the benefit of the holders of any religious office as such."—(Mr. Powell-Williams.)

Question proposed, "That those words be there inserted."

Mr. Powell-Williams

MR. SEXTON: I rise for the purpose of endeavouring to form a just judgment upon this Amendment. We ought to pay careful regard, I think, to the provisions in the clause already dealt with on this subject. It is already provided that the Irish Legislature cannot deal with the question of endowments, or with any disability that may be imposed on account of religious belief. These words, which were more formidable and drastic than those which originally appeared in the Bill, were amended after careful consideration and discussion. Not only was the endowment of religion forbidden, but the conferring of any advantage or benefit on account of religious belief. He had listened to the Debate in Committee, which was conducted by the most competent persons, and he had heard satisfaction expressed at the insertion of those words. He should have thought, therefore, that the House might have been spared any further reference to the matter. The Chief Secretary proposed now to provide that the Irish Legislature should not have the power to make any law, to raise or appropriate directly or indirectly any public revenue for any religious purpose, or for payment to the holder of any religious office as such. He should like to hear from a Minister in what respect the Government judged that the words already included in the Bill differed from the present proposal, because it seemed to him that the words forbidding direct or indirect endowment of religion would apply to the payment of public money to the holder of any religious office as such, the one being a general phrase, the other being a reference to the individual. The appropriation of revenue for religious purposes appeared to him to be covered already, for would not the appropriating of money for religious purposes be conferring an advantage on account of religious belief? It struck him as strange that the Irish Legislature should be forbidden to do what the Imperial Parliament did every Session. It had been found expedient and necessary in Ireland, and would be so after Home Rule was granted. The words, "save as heretofore," were probably intended to guard that which had been done already in the past, and which would probably be continued. It had been found ex-



pedient in Great Britain and in Ireland to pay ecclesiastics and members of Religious Orders for services to the State as schoolmasters, chaplains in the Army and Navy, in prisons, in workhouses, and asylums. The payments were made for religious purposes. Would they come within the Amendment? Payments were made to monks and nuns and others for services in the management of reformatories and industrial schools, and those persons were selected deliberately because they were ecclesiastics and members of Religious Orders, and would render service to the State more efficiently and cheaply than other persons. But upon what principle would the payment to holders of religious offices be provided? These persons were specially selected because they held religious offices, and the services they could render to the State might have still further development in the future. At present their services were recognised in the manner he had mentioned, and in connection with education; but why should the Irish Legislature be shut out from any development of the principle? In many ways the services of nuns might be utilised in giving educational training, teaching girls such accomplishments as domestic economy, sewing, cooking, and other matters in which experience had shown that they gave most efficient instruction. Would the Irish Parliament be shut out from making payments on such account? He could see that a difficulty might arise, and he would suggest that the Government should modify the words "save as heretofore," so that it would be clear that the payments might be made according to the same principle as heretofore—for instance, they might use such words as "save on such principle as heretofore," or "save in regard to analogous services," or words that would imply that similar services from ecclesiastics might receive State payment as at present. In that way the right hon. Gentleman would relieve a well-founded apprehension that the clause might prevent the development of a system under which ecclesiastics had done the State good secular service?

\*SIR C. RUSSELL said, that payments for the purposes which the hon. Member contemplated would not be payments for religious purposes, and could consequently be made. He confessed he had some doubt

whether this Amendment was necessary at all; but the Government thought it would save time to accept it in its modified form.

Question put, and agreed to.

SIR T. LEA rose to move to insert in Clause 4—

"Provided that nothing herein contained shall prevent the Irish Legislature from making grants for the continuance of the Training Colleges as existing at the date of the passing of this Act."

\*SIR C. RUSSELL: That is out of Order.

MR. J. MORLEY: I would submit that the Amendment is already covered.

MR. DEPUTY SPEAKER: That is so.

(On Motion of Mr. J. MORLEY, the following Amendment was agreed to:—

Clause 4, page 3, line 1, after "diverting the property," insert "or without its consent altering the constitution."

MR. A. J. BALFOUR rose to move an Amendment to Clause 4, standing in the name of the hon. Member for East Down, to provide that the powers of the Irish Legislature shall not extend to the making of any law—

"Whereby any denominational University or College may be established or endowed, in whole or in part, or subsidised in any way out of public funds."

MR. J. MORLEY handed a communication across the Table to Mr. Balfour.

MR. A. J. BALFOUR: Unfortunately, if I give way now I shall not be able to speak again; therefore, I must make my statement on this subject. As hon. Gentlemen who have done me the honour to listen to the utterances which from time to time I have been obliged to make on this subject are aware, I have always held that the circumstances of Ireland were such that it would be a proper thing to establish, I will not say a University, but at any rate a College, under Roman Catholic management. The whole tendency of Catholic views is to prevent the training of Catholic youth in any save Denominational Colleges. I am sorry that the Catholics of Ireland do not follow the example set them by the members of other Religious Bodies, and allow general education to go on under circumstances which bring together

all sections of the community, and thus give all the better results of University training. At the same time, I admit that we have to recognise the fact that the great majority of Irish Catholics will not consent to receive University education except in a Catholic College or University. It is absurd to refuse to give to Catholic Irishmen a training in matters outside doctrine simply because of this view. Under the circumstances, I have always held, and still hold, that to deprive Irishmen of a knowledge of mathematics, sciences, classics, and all the other subjects of a University curriculum simply because I do not approve of the conditions under which they will consent to receive it is a policy which we cannot carry on. I have never seen any reason, and I do not now see any reason, to depart from my public utterances on the subject. But when you leave these broad principles and come to the question of permitting an Irish Government to impose taxes in Ireland on Protestants and Roman Catholics alike for this purpose, we change altogether the conditions under which this University or College should be instituted. To ask the population of the United Kingdom to provide the necessary funds that would be required for this object is one thing, but it is a totally different thing to allow an Irish Legislature, entirely dominated by the Roman Catholic vote, to impose taxes upon a population in violent opposition with them to maintain a Catholic University. I should never willingly be a party to giving an Irish Legislature power to do that. By all means let the policy be carried out by the Imperial Parliament, which will retain power to carry it out. It will then be done with the free will of the whole community, and without imposing hardship upon any class; but if it is done by the Irish Assembly the Protestant minority will not consent to it. If their money is taken it will be taken under coercion. This is the broad distinction I draw; the policy may be carried out by the Imperial Parliament, but not by the Irish Legislature. For these reasons, while adhering to all I have said, I move this limiting sub-section upon the particular powers to be given to the Irish Legislature.

Amendment proposed,

*Mr. A. J. Balfour*

In page 3, line 4, after the word "or," to insert, as a new sub-section, the words—" (4) Whereby any denominational University or College may be established or endowed in whole, or in part, or subsidised in any way out of public funds; or."—(*Mr. A. J. Balfour.*)

Question proposed, "That those words be there inserted."

MR. SEXTON said, he noticed with interest the development of the sense of equity and statesmanship in the Leader of the Opposition, who could justify a thing done by the Imperial Parliament, but not the same thing done for Ireland by an Irish Parliament.

MR. A. J. BALFOUR: Hear, hear! Out of Irish funds. It would be grossly unjust for the British Parliament to tax Ireland for this purpose, but to tax the whole of Great Britain and Ireland for an Irish University would not be objectionable.

MR. SEXTON said, he should deny that the right hon. Gentleman was entitled to assume that the settlement of a Catholic University by the Irish Parliament would be intolerable to Irish Protestants. It would not be more intolerable for an Irish Legislature to tax a minority of Protestants than for the Imperial Parliament to tax a larger number of Protestants for this purpose.

MR. A. J. BALFOUR: With their own free will.

MR. SEXTON: The endeavour would be to bring about such a settlement as the Protestants would accept. No one could deny that the state of University education in Ireland was most unsatisfactory so far as Catholics were concerned. Three years ago in the House the right hon. Gentleman admitted this in language clear and striking; but now he found it his duty to deny the power to the Irish Legislature. Undoubtedly, the present University system was unsatisfactory. The Royal University was but an Examining Board, discharging no other University functions. The Queen's Colleges were but slightly availed of by the Catholics, and Trinity College was a Protestant Institution.

MR. CARSON: No, no!

MR. SEXTON said, it was practically a Protestant Institution. He would not argue the abstract question; but, in fact, it was a Protestant Institution, endowed by the State out of confiscated lands, and

it was controlled by Protestant Fellows. Protestant services were held in its chapel, and it had Chairs of Protestant Theology. No one ever supposed that it would be accepted by the Catholics of Ireland. The only effect of adopting the Amendment would be to concentrate the efforts of the Irish Legislature on the reform of Trinity College, so that its endowments should be available equally for Catholics or Protestants. But with freedom in the matter, he was disposed to think that the settlement of the University Question would take the direction of the establishing of a University which, for Catholics, should compare with the position of Trinity College towards Protestants. The condition might be laid down that the University to be established by the Irish Parliament should be such an Institution as would bear to the Catholic community a character corresponding to that of Trinity College for the Protestant community. In that way equality would be established between the Protestants and Catholics of Ireland. What was a Denominational University or College? This was a popular phrase; they read it in the newspapers and heard it in Debate, but would anyone tell him what was a Denominational University or College? Did it mean a College governed by ecclesiastics of one creed or by laymen of one creed, or did it mean that the curriculum included the teaching of theology of any creed, or that a particular creed were excluded? He could give half-a-dozen different definitions, and if they allowed any such words as these to remain the Irish Parliament would not know upon what line to proceed. They would not know what was excluded or allowed by the phrase, whilst it was impossible to say what interpretation might be put upon it by any Judicial Tribunal. He would suggest that, instead of the insertion of such general words, the Opposition should lay down precisely what it was they thought an Irish Parliament might do, or what they thought it should not do. If they would lay that before the House in plain and temperate language they would find the Irish Party ready to consider any reasonable proposal.

**MR. J. MORLEY:** The right hon. Gentleman the Member for Manchester (Mr. A. J. Balfour) took up a position

with reference to this question—not on this Amendment, but previously—in which I confess that I, for my part, although I approach it from a different point of view, am not very much in discord with. He and I will agree that the ideal which inspired those who first inaugurated and brought to completion in Ireland, 50 or 60 years ago, the system of mixed education or places of instruction—both primary and higher and secondary instruction—was that they should be places where students of all the great religious communions might meet, and meet upon the common ground where a love of letters might be laid by which the unfortunate social and religious differences which had sprung up in Ireland might be softened and assuaged. But I agree with the right hon. Gentleman that as things have gone, and as they are at this moment, that is an ideal which must be postponed. Then the only question between the right hon. Gentleman and me is whether, if you are setting up an Irish Legislature, it is fair and expedient that they should be allowed to seek an end which the right hon. Gentleman himself fairly admits to be in the highest degree desirable. I do not wish to press this in a controversial spirit, but let the House note how far the right hon. Gentleman goes. He admits it is desirable that there should be a well-equipped College under Catholic control, and that that College should be supported by public funds. The only difference between us is that, even if an Irish Legislature is to be set up—the right hon. Gentleman will not willingly admit that it will be—that even then it must be only this Imperial Parliament and this Imperial Purse which is to provide for this well-equipped College under Catholic control. I confess I agree with the hon. Member for North Kerry in not being able to see the slightest difference in principle between the proposal which the right hon. Gentleman is not unwilling to see carried—which, perhaps, some day or other he may propose to introduce into this House—I do not see the slightest difference in principle, in the great controversy of denominational education, between his proposal and that which we assume the Irish Legislative Body would desire to act upon. However that may be, I think, so far as this particular Amendment goes, it is impossible for us

to accept it in the words in which the right hon. Gentleman has moved it. It would be very easy to show, if it were worth while—but I hope to get to less technical ground—that in its drafting this Amendment is entirely incomplete and misleading. I will give one illustration—

"Whereby any University or College may be established or endowed out of public funds."

How can a Denominational College or University be "established" out of public funds? Therefore, the hon. Member who drew up the Amendment must have meant "established and endowed"; otherwise, if you leave the Amendment as it stands at this moment, it would prevent the grant of a sum of money by the Irish Legislature towards a chemical laboratory in a Catholic College. It would prevent such a grant as, for example, Parliament gives the Royal Society in London for prosecution of researches in meteorology. That is an illustration only of the inadequate form which he has given to the wording of the Amendment.

MR. A. J. BALFOUR: It was not my Amendment.

MR. RENTOUL said, he drew up the Amendment, and he referred, rightly or wrongly, to funds given for buildings. It was quite possible to conceive there might be buildings.

MR. J. MORLEY: I do not wish to dwell upon these minor objections to the Amendment at all. I think, after what passed in this House when we discussed this question before, the House will be prepared for the position I now propose to take up in respect to this Amendment, and we shall go upon the lines foreshadowed by the hon. Member for North Kerry, though I admit those are lines which indicate a considerable degree of moderation on the part of the Catholic Party. If they accept those lines which the hon. Member for North Kerry has indicated, and which I shall say in a moment or two are the lines we propose to take towards this Amendment, then I think that the House will have reason to congratulate itself upon having got an accommodation in this most difficult question, which both sides may accept without sacrificing any principle which either side rightly holds sacred. I will now bring the matter to a point. What I shall propose will be this—to leave out

*Mr. J. Morley*

the word "denominational" before "University or College," and to substitute for the words "or endowment," the words "and endowment," and to leave out those most dangerous and misleading words "in whole or in part, or subsidised in any way," and then to let the Amendment run in this way—

"Whereby there may be established and endowed out of public funds any University or College in which the conditions set out in the University of Dublin Tests Act of 1873 are not observed."

My hon. Friend the Member for North Kerry was really substantially right, in spite of the hon. and learned Member who represents the University, in his account of Trinity College. You all maintain upon that side that Trinity College is not denominational. What is there in Trinity College? I am not in the least attacking it, or accusing it of narrowness. Nobody has more admiration for Trinity College, or more readily recognises the great part it has played in the history of learning, than I; and therefore I am as far from wishing or intending to give a disparaging description of Trinity College as any hon. Gentleman opposite. Trinity College, first of all, grants degrees in the Faculty of Theology; in the second place, it has Professors and Lecturers in Protestant Divinity, and, as a matter of fact, though not in law, all its Governing Bodies in times past have belonged to, and continue to belong to, one religious persuasion.

MR. SEXTON: There are one or two exceptions.

MR. CARSON: It entirely depends on whether you are speaking of the Senate or the Board. If you refer to the Board I do not think there are any Catholics upon it. If you refer to the Senate there are Catholics upon it, and what I interrupted the hon. Member for was to say that there was nothing to prevent Catholics by degrees from coming up to take Fellowships. There are some Fellows who are Catholics.

MR. J. MORLEY: What I meant was the Board. [MR. CARSON: I agree.] The Board has control over the University, and it is composed of members who belong entirely to one religious persuasion, all being Protestants. I do not intend to labour the matter. The House will see clearly how we stand. If the Irish Legislature is minded to contribute



from public funds for such emoluments as would bear to the Catholics the relation which Trinity College bears to the Protestants, then we think that would be a settlement which might be accepted without any sacrifice of principles. That is why I object to the word "denominational." The Amendment which I have suggested does not sanction—on the contrary, the whole of our Bill goes upon the assumption that there is not to be—an endowment of religion. It would not sanction a Denominational University in any narrow sense. But I think hon. Gentlemen opposite who have followed me, and who are sufficiently up in the controversy, will agree that if Trinity College is not denominational then the Irish Legislature ought not to be precluded from setting itself to achieve that great task which the right hon. Gentleman the Member for Manchester agrees would be desirable. I think the modification of the words of the Amendment of the hon. Gentleman which I have suggested will meet the purpose.

MR. RENTOUL thought the settlement of this question on the lines suggested by the Chief Secretary would be a difficult matter. The right hon. Gentleman pointed out that there were Theological Professors in Trinity College, and that Trinity College granted degrees of D.D. in Protestant Theology. That being so, the argument would be, if the Chief Secretary's Amendment were accepted, that then the Irish Parliament might establish a University in which Roman Catholic Theological Professors would be the only Theological Professors, and in which the degree of "D.D." in Roman Catholic Theology would be the only theological degree granted by that University. He was afraid it would be impossible for them to accept that, because if Trinity College or Dublin University had been about to be established now the Presbyterian population might have had as much difficulty as the Roman Catholic population in accepting Trinity College. Trinity College was an established University. It was established before their time, and with it they had nothing to do. They were now referring to something in the future, and he wished from the bottom of his heart that he could agree with the statement of the hon. Member for North Kerry that he

believed an amicable settlement of this question between Catholics and Protestants was at the present time possible. There was no man in that House who would desire more than he to meet the hon. Member for Kerry as far as he could on this matter, and to have a settlement of this very difficult question; but when they recollected the difficulties which had beset them before, when they recollected that one of the strongest Governments of the Prime Minister was defeated on the question of Irish University education, the difficulties in the way of a settlement of the question became apparent. He considered that the University education in Ireland was adequate. If it was not adequate now it was certainly perfectly adequate before the old Queen's University was abolished; because the Queen's University was a teaching University, having affiliated Colleges planted in the different corners of Ireland. It was an extremely cheap University to meet the wants of the poor population; it was in every sense a fully-equipped and complete University, and he thought Ireland would have wanted nothing in the matter of University training if that old Queen's University had been allowed to remain. He thought even the hon. Member for North Kerry might have some difficulty in accepting the Amendment of the Chief Secretary in the form in which it was put forward. One of the very first questions that would come before the Irish Legislature was that of the establishment of an Irish University. Archbishop Walsh had said—

"Without running any risk of being set down as a false prophet, I may safely say that an attempt to deal with the Irish University Question will be among the chief proposals to be set before Parliament when it begins its work."

The point to be next considered was in what spirit would the Irish Legislature approach this question? Cardinal Logue, speaking in Belfast, contended that the Queen's Colleges in Ireland and the University of Dublin were godless institutions, and dangerous alike to the faith of Catholic students. Thus they had it that one of the earliest things an Irish Parliament would do would be to approach this question of University education, and that it would be approached in the spirit that both Trinity College and the Queen's Colleges—which were

entirely non-sectarian institutions—were dangerous alike to Catholic faith. But if he understood that it was distinctly laid down that it was impossible for the Catholic religion to exist under a system of mixed education he should have great difficulty in pressing this matter upon the House, because if mixing with Protestants in a University would be entirely destructive to the Catholic religion then he thought there would be a good deal to be said on the point that the Catholics could not be expected to tolerate anything that would destroy their religious life or religion. Those of them who did not approve of the Catholic faith might disapprove of the Catholic religion, but they did not want to persecute it or treat it unfairly. Bishop Doyle said before a Committee of the House of Lords 60 years ago that no danger to the Catholic religion might be apprehended from mixed education, so that it turned out that this desire for denominational education on the part of Catholic ecclesiastics was merely a fad or contention of to-day that had no foundation in the past. When the Irish Parliament dealt with this University Question it would have to do so under the control of the ecclesiastics of Ireland. What the Land Question was to the farmers of Ireland the Education Question was to the Irish ecclesiastics, and it was idle to talk about the people of Ireland being able to act as they liked themselves. The day was past when anyone doubted that the ecclesiastics of Ireland were not able to do whatever they liked, as they had proved in the very clearest manner. The difficulty of arriving at the amicable settlement to which the hon. Member for North Kerry referred seemed to be historical. They had first Trinity College or Dublin University, and the Catholics were not satisfied with that. They had then a mixed University—the Queen's—a thoroughly Collegiate University, and they were entirely dissatisfied with that. They had now the Royal University, a mere Examining Board, in which the Catholics enjoyed many important positions—in which Catholics and Protestants were equal in every point of view, and yet they were dissatisfied with that; therefore it did seem to be a difficult task to settle this University Question. They believed that the Catholics were

determined to get University education in Ireland into their own hands. The Catholic ecclesiastics of Ireland had, in fact, said so in the most emphatic language. Believing that this would not be right, he asked that some such restriction as he had proposed should be placed upon the Irish Legislature, and that they should not be permitted to establish an exclusively Catholic University such as Cardinal Logue said they desired. At the present time Trinity College was open to the Catholics without any disability whatever. It was true that there were lectures given in Protestant episcopal theology and degrees granted; but those who did not belong to the Episcopal Church found no difficulty in graduating in the University of Dublin because there were these Chairs. That being so, they felt that the Catholics laboured under no disadvantage at the present time. What was the reason that the Protestants of Ireland were so strongly in favour of united or mixed education? They had no desire to proselytise the Roman Catholic population of Ireland; but they believed that the system of secular education which brought all creeds together under the same roof tended to make them all better friends, and that it was one of the most advantageous systems that could possibly be established in Ireland. The entire Unionist population of Ireland, Protestant and Catholic alike, held that opinion; and he hoped, therefore, the Government would see their way to accept the Amendment which he had placed upon the Paper.

\*MR. T. W. RUSSELL said, as he held opinions on this question which were different to those held by most of his Colleagues from the North of Ireland, he should like to say one or two words upon it. He had always held, that as regarded primary education, the Roman Catholics of Ireland had no real grievance. But he had always held that, as regarded higher education, owing to the attitude taken up by the Roman Catholic hierarchy, there was a want which ought to be supplied, if it were possible to supply it. That being his position, he had followed in this matter the Leader of the Opposition ever since he made his speech in the year 1888. He frankly admitted he had little or no support in the North of Ireland; that he was not representing the

*Mr. Rentoul*

views of the majority of his constituents; and that if he gave a vote of that kind—as he should do—he should have to defend it in his own constituency, and in Ulster generally. He also frankly admitted that he was at issue with nearly all his Colleagues in Ulster, and he hoped the House would bear with him on that account if he ventured to occupy the time of the House for a few minutes. The proposition made by the Chief Secretary that night was, he thought, an exceedingly moderate one on the face of it; but, in his opinion, it ran counter to the 4th clause of the Bill itself. The 4th section declared that there should not be any endowment of religion either directly or indirectly; and what the Chief Secretary undoubtedly did by his Amendment was to endow Theological Chairs, or permit the Irish Legislature to endow Theological Chairs, in any University that might be set up for the benefit of Roman Catholics. His view was that there should be no endowment of religion in any shape or form, and he always regretted that the Divinity School was left in Trinity College in 1869. He thought it ought to have been removed at that time, and beyond all doubt it did give a denominational aspect to that Institution. But let him put this to the Chief Secretary—this Divinity School in Trinity College existed for the training of clergymen for the Protestant Church in Ireland; and because that Divinity School existed the Chief Secretary, so far as he could gather, thought that it would be proper to allow the Irish Parliament to erect a College on the same basis—that was to say, endow Theological Chairs. ["No!"] His answer to that was this—that if the Chief Secretary did not endow Theological Chairs undoubtedly he would not reach the Catholic ideal in education. Whilst Trinity College had its Divinity School, Maynooth had a large endowment out of the public funds for the training of Roman Catholic ecclesiastics, so that the one balanced the other. He thought the Chief Secretary's proposal would be a reasonable one if they could get rid of the endowment of Theological Chairs. He must say he sympathised with the Chief Secretary's argument, which the hon. Member for North Kerry (Mr. Sexton) had rather derided. If a proposal were made in that House to

supply a want that everybody admitted existed—he supposed because Roman Catholics could not conscientiously take advantage of the Institutions now existing—if a proposal were made in this Parliament to set up such a College he should support it. At the same time, he recognised the great difference between having the thing done in this Parliament and having it done in an Irish Parliament, simply because the British Parliament would attach conditions which the Irish Legislature, being practically in the hands of the Roman Catholic hierarchy, would not attach. He should be very glad if a solution of the difficulty could be arrived at. He was bound again to say that on this question he spoke only his own views, and that he was in conflict, he supposed, with the whole of his Colleagues from Ulster.

MR. HANBURY (Preston) thought that with regard to University education in Ireland the Catholics had a distinct grievance, and he was sorry that the present Leader of the Opposition had not obtained the support he ought to have received when he tried to remove that grievance a few years ago. He (Mr. Hanbury) was not going to split hairs on this question. He should have much preferred to have had it settled by the Imperial Parliament, but he did not think the Imperial Parliament would have an opportunity of settling it; and, rather than not see it settled at all, he should vote for having it dealt with by the Irish Legislature. He should, therefore, go into the Lobby with the Government, and he thought one or two other Members of the Opposition would do the same.

\*MR. D. PLUNKET (Dublin University) said, he did not wish to give any decisive opinion upon this Amendment, as it seemed to him extremely doubtful what its effect would be in consequence of the form in which it was proposed. The Chief Secretary (Mr. J. Morley) had set up some kind of claim for equity on behalf of some future College which was to be in a position corresponding to that of Trinity College, Dublin, and was to have the power of teaching and giving degrees in Catholic theology. The proposal with which the House was now concerned was whether it should be established under the authority and pro-

tection of a Legislature which would be distinctly Catholic in its ruling character. When the Unionists proposed that Trinity College should remain under the authority of the Imperial Parliament they were met at once with a negative. There, therefore, appeared to be no reciprocity whatever, and if anything of the kind suggested by the Chief Secretary were proposed he should again claim that Dublin University should be placed under the control and protection of the Imperial Parliament.

\*MR. W. JOHNSTON (Belfast, S.) said, he rose to take part in this discussion with considerable reluctance and great feelings of regret, for he found himself at variance with hon. Members whose opinions he respected, and for whose character he had the highest esteem. His hon. Friend the Member for South Tyrone, as he himself had indicated, spoke on this University Education Question for himself, and not for the Protestants of the North of Ireland. Standing there, he (Mr. Johnston) ventured to speak as one of the Representatives not only of the City of Belfast, but of the great Protestant Province which was so distinguished for prosperity and progress; and though he was sure that the sentiments he would utter might seem out of date in that Assembly, he believed he should be untrue to the principles he had held all his life long if he hesitated, even in the face of an adverse audience, to give vent to those sentiments which he cherished in his heart of hearts. There was no question that the subject of education was one of paramount importance in the eyes of the ecclesiastical hierarchy of Ireland. While the farmers aimed at obtaining the land in many cases without paying any rent at all, the ecclesiastics desired that supremacy for their Church and principles which it had been their constant and unremitting aim, century after century, to succeed in obtaining, not only in Ireland, but throughout the world; and he felt that if Ireland were handed over to Romish teaching and to the ecclesiastical supremacy of that Church, there would be an end to enlightened literature; there would be the suppression of all history; the termination of moral philosophy, and there would be a return of the dark ages against which Europe had long struggled on many a field of fight. His hon. Friend the Member for South Tyrone

honestly and earnestly advocated any cause that he took up; and on this occasion, as on many others, the hon. Member had shown the courage of his convictions in expressing opinions which were adverse to those of the majority of the constituency which he represented. He trusted that the House would not give its sanction to a proposal for erecting an ecclesiastical supremacy in Ireland. He was perfectly prepared to concede civil and religious equality to all classes of Her Majesty's subjects. It had been the fashion to talk as if they in Ulster were struggling for Protestant ascendancy. No such feeling existed in the minds of anyone. If there was Protestant ascendancy it was the ascendancy of intellect over ignorance—of industry over idleness. It was this that had made Belfast so prosperous, and had given to the fair fields of Ulster that position which they occupied of prosperity in the land. The Romish hierarchy of Ireland already possessed ample educational means for teaching their priests. Amply endowed as Maynooth had been by the generosity of Parliament, they required no further assistance, either from the Imperial Parliament or the Irish Legislature, to teach the tenets of their Church. In former days the ecclesiastics of the Church of Rome were prepared to accept the Educational Institutions that were established in Ireland for the benefit of his Roman Catholic fellow-countrymen. But by degrees they withdrew from those Institutions—from the Queen's College and the University—one after another; and it was impossible to say what would satisfy them in the demands which they made from time to time upon the Parliament of this country. He regretted to differ on this subject of University education from his right hon. Friend the Leader of the Opposition. He should like to have said in the presence of the right hon. Gentleman what he was compelled to say in his absence—that on this question the right hon. Gentleman did not represent the sentiments of the Protestants of Ireland. The Protestants of Ireland were not prepared to see either the Irish Legislature or the Imperial Parliament set up in Ireland an establishment for the teaching of the doctrines and tenets of the Church of Rome. They had already had sufficient evidence of what those doctrines and tenets

*Mr. D. Plunket*



produced in Ireland. He unhesitatingly and fearlessly said that it was to the teaching of Maynooth and kindred Institutions that they owed all the revolt, the rebellion, the agitation, and the turmoil that existed in Ireland at the present day. He believed that this great Empire owed its position and prosperity to the steady maintenance all down the centuries of those Protestant principles which were established at the Reformation; and the further it receded from them towards infidelity, or indifference, or Ritualism, it was an approach to the Romanism against which he ventured to protest. The further it proceeded in that direction from the great principles of the Reformation, so far would it go back in prosperity and progress, till possibly its glorious sun of ascendancy might sink never again to rise. He would not venture on that occasion to do more than enter this protest. But, no matter from what side of the House it might come, he should resolutely and energetically oppose any attempt to endow out of the funds either of Ireland or of Great Britain an Educational Institution which would have for its object the teaching of those tenets which had produced disorder in Europe age after age, which would remove from its pristine glory this Empire, and which, if carried into effect, would bring to a termination all those civil and religious liberties for which their forefathers had so long contended.

MR. BODKIN (Roscommon, N.) said, it was not necessary to follow in any detail the speech of the hon. Member for South Belfast. But one argument the hon. Gentleman had used was that the Catholics of Ireland were inferior in intellect to the Party and the creed to which the hon. Gentleman belonged. For that inferiority of intellect he supposed there was no remedy; but, surely, the ignorance of the Catholics was an argument for, instead of against, the establishment of a Catholic University. All the Catholics asked was for a University in which their ignorance might be removed. The opinions of his hon. Friend the Member for South Belfast—for he hoped he might call him his hon. Friend—were at least honest, and they had a great respect for honest opinions, however foolish they might be. He did not think there was anything in the

speech of his hon. Friend that could be seriously discussed; but he thought the speech of the Leader of the Opposition on the subject deserved considerable attention. The right hon. Gentleman had said that he believed a Catholic University for Ireland was a good thing—he said it, too, four years ago—and that the Imperial Parliament ought to give it to Ireland. It was part of the tenets of the right hon. Gentleman and his followers that everything the Imperial Parliament ought to do it would do. It was the one reason against Home Rule. The Imperial Parliament was able and willing to do justice to Ireland. Then why did it not give a Catholic University to Ireland? The right hon. Gentleman was able to give Ireland a Coercion Act which he considered expedient. Why did he not give it a Catholic University which he also considered expedient? If, as the right hon. Gentleman practically declared, the Imperial Parliament ought to give Ireland a Catholic University, and did not give it, why was the question to be reserved to that Imperial Parliament, and retained from the Irish Parliament which would give it? What was the only argument the right hon. Gentleman found to cover his change of front on this question? That the Protestants of England should be taxed to give Irish Catholics a University, and that the Irish nation should not be taxed for that purpose. If it was right to tax the Protestants of England for an Irish Catholic University, surely it was equally right to tax the Protestants of Ireland, and he would venture to think there would be no serious disagreement on this question. The Protestants of Ireland, as well as the Catholics of that country, were substantially in favour of denominational education. They were in favour of the inclusion, and not the exclusion, of religion from University education. He challenged even the hon. Member for Dublin University (Mr. D. Plunket) to say that he would wish to exclude religion from the walls of Trinity College. He believed the Protestants of Ireland, when they came to consider this question, had fair play sufficiently in their minds to give to their Catholic fellow-countrymen what they desired for themselves. They must be convinced that the real safeguard of Trinity College, the real safeguard of

that Institution of which all Irishmen were proud as having given so many great men to Ireland, was to plant beside it a University of the majority of the people in honest and healthy emulation. He did not think there was any Protestant in Ireland who would object to such a course. He was of opinion, therefore, that if the argument of the right hon. Gentleman (Mr. A. J. Balfour) bore any interpretation, it was an interpretation that Home Rule was necessary in order to do justice to Ireland in this matter. The Imperial Parliament had refused to settle this question of University education in Ireland, and therefore it should be relegated to a Parliament that was able and willing to settle it.

\*MR. WEBB (Waterford, W.) said, he was entirely in accord with his Catholic Colleagues on the question of University education, and he entirely reciprocated the feelings of the Chief Secretary in his remarks upon the subject. He regretted deeply, however, that it did not appear possible in Ireland, as in some other countries, that education could be carried on in common, and that people should thereby learn to respect and love each other, and to forget those differences which were due to differences of religious education. One of the most interesting institutions to him in Ireland was the Central Model School in Dublin, where there still was an effort being made to carry on that system of education; but he must admit the effort was a failure, because few in Ireland desired its continuance. In no part of Ireland was the system of denominational education extending more than that Northern district from which came so many Members who here opposed it. Statistics proved that the number of denominational schools was increasing, and he could not understand how anyone could put forward Trinity College as being more or less than a Denominational Institution. The Catholics might be said, theoretically, to have equal rights with the Protestants; but in justice they had not, and it appeared to him that the whole influence of the place was Protestant. If they would just turn the case round, and imagine a College in which only Catholic services were carried on, and where the head of it was a Catholic ecclesiastic, would any Protestant say that College was not a Denomi-

*Mr. Bodkin*

national Institution? He thought the Protestants had made a mistake in not being satisfied that Catholics should have equal rights with them. He thought the wisest plan would be to leave Trinity College as it was, where Protestants could receive an education under Protestant influence, and to establish an Institution where they would obtain a similar advantage for Catholics, because if Trinity College were further undenominationalised, the result would be that Protestants would send their children to be educated in England under Protestant influences. It was only fair that Catholics should have a University of their own. One of the previous speakers on this subject used a strange argument, which was that while it would be right to tax 30,000,000 English Protestants for a Catholic University in Ireland, it would not be right to tax the 1,000,000 Protestants in Ireland. For his own part, he was convinced that a more satisfactory solution of the question would be arranged in an Irish Parliament than by seeking to settle it in the Imperial Parliament, where the power on one side alone was applied to effect a settlement. In this as in every other question, he believed, the Protestants would find their influence more effectively used in affecting the minds of their fellow-countrymen rather than in seeking to call in extra power to keep the Protestant minority in its position. He himself had no fear but that the question could be satisfactorily settled in an Irish Parliament, and for that reason he would vote for the Chief Secretary's Amendment.

\*SIR R. TEMPLE said, this was a question that excited much interest among his constituents in Surrey; and, as an English Member, he felt unable to give a silent vote upon the subject. He was pledged to vote against the application of public money for endowing, establishing, or supporting a Roman Catholic University in Ireland, or anywhere within the British Isles. It was a very delicate as well as interesting question, and in an Assembly like that he thought it was one upon which they had better state their conclusions briefly. After consultation with his constituents, he felt bound to do whatever he could to prevent a Parliament in Dublin, and he was bound to vote for any Amendment

which would prevent it. He hoped his hon. Friends of the Roman Catholic religion would allow him to add that he entertained most kindly, most friendly, and most respectful sentiments towards all Roman Catholics, and he hoped they would forgive him for stating in this very plain manner the conclusion at which he had arrived. He had to ask himself whether the Amendment of the Chief Secretary for Ireland was not a sort of compromise; and whether it might not be accepted by Members who took the view he had expressed? The Amendment of the right hon. Gentleman was open to this objection—that it was not quite clear or conclusive what it meant. He imagined that any layman or non-professional man not acquainted with Dublin might easily be misled. But, from the manner in which the Amendment had been received in certain quarters of the House, he apprehended that it would virtually permit an Irish Parliament to vote public money to establish a Roman Catholic University. With that apprehension—he might almost say suspicion—in his mind, he was bound to vote against the Amendment.

MR. J. MORLEY: I did not catch what the suspicion was.

SIR R. TEMPLE said, his apprehension and suspicion was just this—that, under cover of the Amendment, the Parliament in Dublin might vote public money for establishing and supporting a University which would be really and truly a Roman Catholic University.

MR. J. MORLEY: What do you mean by a Roman Catholic University?

SIR R. TEMPLE said, he meant one that was strictly denominational, and would teach exclusively the Roman Catholic religion. There might be certain rules and conditions under which that University might teach other forms of the Christian religion; but he meant a University that would in practice, and in substance and essence, teach exclusively the Roman Catholic form of Christianity. In the presence of distinguished Members of Dublin University he would not say a word regarding that Institution, nor regarding the Maynooth Vote; but he would say a word or two respecting British Universities, which he understood. The doctrine that public funds ought not to be given to a Denominational University applied throughout

Great Britain. No money was given by the British Government to the great Universities of Oxford and Cambridge. With regard to London University, the money granted by that House was fully recouped by the receipt of the fees; and in the case of the Scotch Universities, to which that House voted monies three years ago, they were absolutely un-denominational. So he assured his Roman Catholic friends that he was endeavouring to enforce no view against their Universities that did not apply in other cases. For the reasons he had stated, he was bound to vote against the right hon. Gentleman's Amendment.

MR. CARSON (Dublin University) said, as one of the Members for Dublin University, he could hardly give a silent vote on this question. He hoped the position he took up on the subject would not be considered a bigoted one; it was one which he took up not for the first time, for he had over and over again, publicly and privately, expressed it in reference to University education in Ireland. He would be sorry to put forward any proposition which might, in the slightest degree, be construed as a desire upon his part to withhold from his Roman Catholic brethren in Ireland any of the advantages which he, as a Protestant, himself enjoyed; it would certainly be his wish, so far as this question was concerned, that Roman Catholics in Ireland—among whom he had many relatives himself—should have exactly the same benefits in reference to University education that Protestants had. He hoped this discussion might be of some use in tending to bring together men of both religions, and to enable them to arrive at a common understanding as regarded the settlement of this University Question. But his first allegiance must be to his own University and constituency, and he would say this—that while he was prepared in the very fullest degree to concede to others of a different faith such advantages as Protestants derived from Trinity College, Dublin, he was not prepared to concede anything more. He certainly thought it was a strong proposition to put forward that the House, having refused to accept from the powers of the Irish Legislature any dealing with Trinity College, Dublin, they should now be asked to concede, in addition to

that power given to the Irish Legislature, the power of setting up a Roman Catholic University in Ireland out of public funds. If the Chief Secretary's Amendment were accepted, the right hon. Gentleman should now make the concession that Trinity College should, in terms, be excepted from the powers of the Irish Parliament. He must say he did not consider that the University of Dublin stood at the present moment upon an entirely satisfactory basis. Some misapprehension had arisen in the minds of hon. Members as to what the exact constitution of Trinity College was at the present time. With the exception of the Theological School, every Professorship and office was open to members of any religion, and that, so far as it went, was, he thought, entirely satisfactory. He was prepared to admit that Roman Catholics had not entered in sufficient numbers to give them a fair proportion in the government of Trinity College; but he might mention that last year, or the year before, one body in the College that they were very proud of—their first eleven at cricket—was composed of nine Roman Catholics as against two Protestants. The Fellowships were open, and the Board was elected simply and solely by seniority; and if there were a sufficient number of Roman Catholics winning Fellowships, in the course of time the Board of Trinity College would necessarily become largely constituted of members of their religion. There was in connection with Trinity College a Chair of Theology; there was this Divinity School which supplied clergy to the disestablished and disendowed Church in Ireland; and if the Board of Trinity College was to become largely constituted of Roman Catholic members, it would be an entirely unsatisfactory, if not an entirely unworkable, Board. When they considered that they had the entire regulation of the Divinity School, which dealt with only one particular religion, and having regard to the fact that the Board of Trinity College was entirely open to any religion—just as Protestants were elected not on account of religion but simply and solely in consequence of seniority as Fellows—he did not think anyone would say that was an entirely satisfactory state of things to exist in a Board which might become at any moment the guardians of a Divinity

*Mr. Carson*

School which dealt with only one religion—that of the Disestablished Church in Ireland. If they were going to make the concession to the Irish Legislature that they could establish a University which would be more acceptable than Trinity College had been to the Roman Catholic religion in Ireland, surely they ought to except the University of Dublin—which stood in the ambiguous position of having a Board which might become Catholic and which dealt with a Protestant Divinity School—from the power of the Irish Legislature, which would be largely composed of Catholics. While they conceded to the Irish Legislature the power of establishing such University as they thought proper to meet the wants of University education in Ireland, they ought to secure immunity to Trinity College, and leave it under the control of the Imperial Parliament. If Trinity College were excepted from the Irish Legislature, for his part he was not prepared in the slightest degree to oppose a most liberal settlement of this question, and he thought it would be a great advantage to Ireland—whether Home Rule passed or not—that they should come to a common understanding on this question, which he looked upon as one of the most vital questions which had for many years divided the people of Ireland on the subject of education. The Amendment proposed by the Chief Secretary was in one view, he thought, entirely satisfactory. At the same time, it was well the Amendment should be understood. He did not entirely understand it, and he would say why. The manner in which it was framed simply put the question of the tests under the University of Dublin Act, 1873. The tests under that Act were framed in a very peculiar way, and they had to be framed in that peculiar way in consequence of the pertinence of that Divinity School to Trinity College. Of course, it was quite apparent that so long as they had Professors connected with the University of Dublin who would have to teach in these Theological Schools belonging to one religion only, to abolish the tests in relation to these Professorships would create an absurdity. So that this Act made an exception in relation to the Divinity School, and provided that one matter was to stay as it was; and whilst this one test was to continue in existence in relation



to all other offices, the matter was to be thrown perfectly open. He did not know, from the way in which the Amendment had been framed, whether it was intended that Theological Schools should be established in the new University. That was a matter upon which they should come to a perfect understanding. For his part—and he knew he did not at all speak the views either of his Colleagues or other Members on that Bench—he had no objection to these Theological Schools, because he really would wish to face this education question—whether primary or University—according to the views that were held by the great body of Roman Catholics in Ireland, and he had long thought it was a fatal mistake upon the part of those who had to do with legislation in Ireland that they should lay down broad theories which, good in principle, for years and years the Irish Roman Catholics had declared they were not prepared to accept. It was really a foolish thing, in his opinion, to go on, year after year, leaving open these bitter controversies as between Parties in Ireland, where, in fact, they were settling nothing, but giving large sums from the State in Ireland, but really were not conceding what were the wishes of the great majority of the people in that country. He dared say he had many constituents who would differ from him, but during his election contest he never hesitated to put forward the views which he put forward now. Speaking for himself, he did not see any objection to a University which had no tests—just as they had no tests in Trinity College—having, at the same time, a Theological Chair, which would help to educate clergy for a Church to which he did not belong. It was well that this matter should be rendered clear in that House. He bound no one by his opinions. He did not know what the opinion of the bulk of his constituents might be, but he regarded this matter of such essential importance that he felt it his duty to express what he felt upon the subject. His views were exactly as he had stated, and he had no objection to these being set up as kindred to the University of Dublin such a University as would give an exactly similar system to the religion of the majority in Ireland in relation to this matter. Then came this question. They had enacted

in the 1st and 2nd sub-sections certain restrictions and disabilities on account of religious belief. If they passed the Amendment of the Chief Secretary he did not know how these restrictions were to work upon that Amendment, and certainly if they were to come to a settlement at all he thought it ought to be a settlement which could not afterwards be in any way repudiated by either side. They ought to have an understanding as to how far they were prepared to go, and his vote would be exactly in accordance with the opinions to which he had given expression. He greatly deplored this Home Rule discussion; but long and protracted as that Home Rule discussion had been, and bitter as it had been, it would not have been fruitless if they had come within measurable distance of making in a statesmanlike, liberal, real, and genuine way, one attempt, at least, to settle this question of Irish University education on a broad and generous principle.

MR. DILLON (Mayo, E.): Before the Deputy Speaker puts the Question, I should like the Chief Secretary to state how he proposes to proceed. He will notice there are two ways of dealing with this subject. One would be of moving an Amendment to the Amendment on the Paper, and the other would be for the Government to defeat the Amendment on the Paper and put down their Amendment as an Amendment to the clause. I think before the Amendment is put the House should know which course the Government propose to take. I do not wish to occupy the time of the House, but I would wish to say this: that the speech we have just listened to from the hon. and learned Gentleman the Member for Dublin University (Mr. Carson) is, to my mind, one of the most remarkable and interesting we have heard in the House for a long time. I must say I think it will afford grounds, even in the minds of Conservative Members who sit behind the hon. and learned Gentleman, for believing that the Irish Parliament might not be such a scene of disorder as they think. Here is a question that for 25 years has been constantly before this House, an Irish question which has upset more than one Government, and which this House for 25 years has not even endeavoured to settle so as to satisfy the people of Ire-

land, and we have now in the course of a discussion on Home Rule a gentleman who represents a Protestant constituency—I might almost say an Orange constituency—at all events a strongly Unionist constituency—standing up and delivering a speech which shows that he and we, if we were shut up in a room upstairs, or, better still, in a room in Ireland, would in the course of a few hours amicably and without difficulty arrange this question which the House of Commons for 25 years has failed to settle. I very much doubt whether, in the whole course of these Debates on Home Rule which have occupied this House for many months, a stronger speech in favour of Home Rule for Ireland has been delivered than the speech of the hon. and learned Member for the University of Dublin. I think that after the speech to which we have just listened the course would be for the Government to move the Amendments which are suggested by them, and settle this matter without committing the House to a second and, perhaps, a longer discussion on this subject, which has been fully debated. Because, if the Government adopt the other course, this inconvenience might arise—that when the Amendment of the Government comes up the whole of this subject might be debated at great length again by Members who did not take the trouble to be in the House when the present Debate was going on. I therefore would ask that before you put the Question the Government would declare the course they would adopt.

MR. J. MORLEY said, he could only speak by the indulgence of the House. In answer to his hon. Friend who had just spoken, his own notion was that the best course would be for the hon. Member to withdraw his Amendment, and then he (Mr. J. Morley) would move his. He had listened with interest to the very remarkable speech of the hon. Member for Dublin University, with the tone of which no one could complain. Then there was the speech of the hon. Member for South Tyrone, who told them that he had always deprecated the preservation by Trinity College of this Divinity Chair. The hon. and learned Member for Dublin University, of course, did not at all deprecate the maintenance of the Divinity Chair, but he indicated that some objections which

might be felt, not by himself but by his constituents to the Amendment, which he (Mr. Morley) sketched out before the dinner Adjournment, might be removed if they included Theological Professorships along with those subjects for which the Irish Parliament might not be allowed to provide funds, except in compliance with certain conditions. His own interpretation upon full consideration of the Bill as it stood was, that by the 1st and 2nd sub-clauses of the 4th clause, that would be guarded against; but, in order that their situation might be perfectly clear, he would move the Amendment in these words—

“Whereby there may be established and endowed out of public funds any Theological Professorship or any University or College in which the conditions set out in the University of Dublin Tests Act, 1873, are not observed.”

What were the conditions set out in that Act? The conditions which were referred to in the Amendment he had indicated were—that access to education in the Institution should be open to all without compulsion as to any given religious instruction or to pass theological examinations. The conditions of that Act were that it was not to be an indispensable condition of holding a Fellowship or of earning other prizes provided out of public funds that there should be any subscription to any article or formula of faith; any declaration or oath as to religious belief or profession; nor any act in connection with any form of public worship; nor any compulsion on anybody elected to a Fellowship or other office to be ordained in Holy Orders. He did not think that the provisions in the language he had used in the Amendment would be disagreeable or inconvenient to any of those whose views and aims it was the declared object of all to meet. His Amendment, of course, did not preclude the endowment of Theological Professorships out of funds other than public funds. He thought that the agreement that had been arrived at constituted a very remarkable advance in the troubled controversy with regard to Irish University education, and he agreed with the remark of the hon. Member for East Mayo that that agreement was remarkable as an indication of the spirit in which that troubled Irish Question might have been discussed by fair men whether sitting on these or those Benches, or

*Mr. Dillon*

meeting altogether with a desire to work out the regeneration of their own country.

MR. A. J. BALFOUR said, that, as the technical Mover of the Amendment, perhaps he might be allowed to say that he still preferred that the matter should have been left to the Imperial Parliament to deal with. In those circumstances, he would not withdraw his Amendment, but he should not ask the House to go to a Division upon it.

Question put, and negatived.

MR. J. MORLEY then moved the following Amendment:—

“Whereby there may be established and endowed out of public funds any Theological Professorship or any University or College in which the conditions set out in the Dublin University Tests Act, 1873, are not observed.”

MR. SEXTON said, it was not easy to arrive at an absolutely conclusive judgment upon an Amendment which depended on the interpretation of a complicated Statute; but having paid close attention to the Debate, and having listened to the speech of the right hon. Gentleman the Chief Secretary in moving the Amendment, and being himself one of those Irishmen—the great majority of Irishmen, as he thought—who desired that, under fair conditions, the Protestants of Ireland should be allowed to maintain their present position with regard to Trinity College, if the fair claims of Catholics were met, and recognising in the Amendment of the Chief Secretary a valuable and memorable attempt in that direction, he felt entitled to support the Amendment.

\*MR. D. PLUNKET : I desire to say one word on this subject in order to explain the course I intend to adopt. The hon. Member for North Kerry has said it is not easy for him to form an exact opinion as to what may be the ultimate effect of the Amendment suggested by the Chief Secretary. I should think, if any person has had any early information upon this subject, it is much more likely to be the hon. Member for Kerry than anybody else. So far as I am concerned, it comes upon me for the first time, and I must say I am not prepared to give my assent to this Amendment in the form in which it is now submitted to the House, not having had sufficient time to consider it. As far, however, as I understand, it is

to give to the Irish Parliament the power, if they should so think fit, to establish and endow as a recognised University in Ireland any College—we will say, for example, the existing Roman Catholic College in Stephen's Green, on one condition only—namely, that that University should in that case supply the funds for its own Divinity Professors.

MR. J. MORLEY : There is a Conscience Clause. It should be open to all students without tests.

\*MR. PLUNKET : I assumed that was the intention of the right hon. Gentleman. The view I take of it, quite apart from any consequences that might follow from the adoption of the clause, which, as I say, I have not had time to consider, and to which I am not now prepared to give any general assent, is this—that a broad line being drawn between the University of Dublin and other Institutions in Ireland, because it is said it is mainly a Protestant Institution connected with the minority of the people in Ireland, and those other Institutions in Ireland which it is intended to benefit by this clause and to give advantages to if a Home Rule Parliament should ever be established, there appears to me this palpable injustice. You propose to give over to the Irish Legislature not only the control and direction of the College which is assumed to represent the interests of the majority of the people, and of that class of people who will have an overwhelming preponderance to do practically as they like upon subjects such as this in the Irish Legislature of the future, but you refuse the same privilege to us, the minority, whose College you set apart and tell us it is not a National University because it is confined practically to the minority of the population. You refuse us our request which we made to you on the Committee stage of this Bill, that that College should be left under the care and protection of the Imperial Parliament. I say this is not fair treatment, and I, for one, cannot under these circumstances assent to the proposed Amendment.

Amendment agreed to.

MR. CARSON said, he wished as a corollary to the Amendment just now

accepted to move the following Amendment:—

"Or affecting the constitution, endowments, or management of Trinity College, or the University of Dublin."

He said that an Amendment of a similar character was debated and rejected in Committee, but at that time they had had no specific assurance from the Government or the Prime Minister, such as was eventually given, as to what would be the position of the Irish Legislature in relation to the establishment of any University. They had now had an Amendment giving permission to the Irish Legislature to establish another University in Ireland. Hon. Members below the Gangway having got that power—to set up a University in accordance with the sentiments of the people whom they represented—they were entitled to ask, he thought, that the University of Dublin should be left to be dealt with by the Imperial Parliament and according to the sentiments of those by whom that University had hitherto been governed. Fair play demanded this, and they asked that the Bill should contain some expression to this effect. He felt almost certain that hon. Members below the Gangway would acknowledge that they had a complaint if this were not done, and thought he might appeal to them, after what had happened, to support the Amendment which he ventured to move.

Amendment proposed, after the foregoing Amendment, to insert as a new sub-section, the words—

"Or (4) Affecting the constitution, endowments, or management of Trinity College, or the University of Dublin."—(*Mr. Carson.*)

Question proposed, "That those words be there inserted."

MR. T. M. HEALY (Louth, N.) said, he would like to ask whether the protection demanded was not already provided in Sub-section 6, whereby the Irish Legislature was prohibited from making any law affecting an existing Corporation and depriving such Corporation of its rights, privileges, or property? Did that not apply to Trinity College?

MR. CARSON said, he might be allowed to answer the question. In his opinion, Sub-section 6 did not cover the point. By an Address from the two

*Mr. Carson*

Houses of the Irish Legislature, with the consent of Her Majesty, Trinity College might be dealt with. To his mind, this was not so satisfactory as being dealt with by the two Houses of the Imperial Parliament. He thought in a matter of this kind they might be met by hon. Members. He asked that Trinity College should be reserved for treatment by the Imperial Parliament, and, after the Amendment which had been adopted, the request was not an unreasonable one.

MR. T. M. HEALY said, that this was a very fair answer; where was the University which had been promised to the Nationalists? Hon. Members had given them "a Castle in Spain," and therefore the concession was of little value, especially in view of the fact that the House of Lords was going to reject the Bill. They thanked the hon. Member for the consideration he had shown, and they recognised the spirit he had displayed that evening, and he would be glad if he could show that there was any substantial concession. They must look at the clause historically, and remember what took place in 1886. The hon. and learned Member had made an offer; he (Mr. Healy) would make another. If it was contended that Sub-section 6 was no protection to Trinity College, and another clause was to be inserted, then he submitted that the sub-section ought to be struck out. If the hon. and learned Member for the University of Dublin wanted his Amendment accepted it would be a fair exchange to knock out Sub-section 6; or, if the Amendment of the hon. Member for Harrow were substituted for that sub-section, he should be very glad to yield to the contention of the hon. and learned Member for Dublin University.

\*MR. PLUNKET: I think, Sir, we have had a very fair illustration of the union of hearts which was boasted of as the immediate result of the generous speech of my Colleague. All the concessions have been on one side; and when we want to get something in return we are put off with everything except what we want. If the Irish Parliament is to get control over and have the care and protection of this new College—which is to be the University of the Catholic population of Ireland—are not the minority entitled



to protection? The majority will have absolute power in the Irish Legislature, and they will be bound to use it. I claim again what I have claimed before—that Dublin University should remain under the protection of the Imperial Parliament, and I claim it all the more on account of the way in which the concession which my hon. and learned Colleague has urged the House to accept has been received by those on whose behalf it was put forward.

MR. J. MORLEY: I think the right hon. Gentleman (Mr. Plunket) has put a misconstruction upon what fell from my hon. Friend the Member for Louth; and I think the union of hearts would be established if Parties could deal with questions of this character as they have been dealt with to-night. We have had shown a rational desire to arrive at a conclusion which would be agreeable to all Parties in Ireland. I can find no fault with the spirit of the speech in which the hon. and learned Member introduced his Amendment. With the spirit of his Motion we agree. But we maintain that Trinity College is amply protected by the 6th sub-section of Clause 4. Trinity College may have Land and Railway Stocks——

MR. CARSON: That does not come within the Amendment. The general law would not be interfered with.

MR. J. MORLEY: We contend that Trinity College is amply protected under Sub-section 6 of the 4th clause. It may consent to be deprived of its property, but that is not likely. There may be an Address from the two Houses of the Irish Legislature on the leave of Her Majesty, which means, in effect, a Secretary of State. Can the hon. and learned Gentleman suppose that in the condition of Parties in this Parliament any of those iniquitous and confiscatory laws against Trinity College which this Amendment is intended to avert are ever likely to be carried?

MR. CARSON: I can.

MR. J. MORLEY: The hon. and learned Member is not long a Member of this House—neither am I. We are not very experienced in the House, perhaps; but I would appeal to the late Chancellor of the Exchequer (Mr. Goschen) whether he can imagine a state of things in which a Secretary of State would be likely to

advise Her Majesty to consent to the plunder and robbery of the property of Trinity College? I confess I cannot.

MR. GOSCHEN (St. George's, Hanover Square): Those who would plunder a Church would plunder a University.

MR. T. M. HEALY: You did it in 1869. You were a Member of the Cabinet in 1869.

MR. J. MORLEY: I ask my right hon. Friend was he not a Member of the Government of that day?

MR. T. M. HEALY: A white sheet?

MR. GOSCHEN: I do not admit that we plundered the Irish Church.

MR. J. MORLEY: I submit that the interruption of my right hon. Friend is one of the most futile and irrelevant interruptions that I have ever heard. I asked my right hon. Friend, with his large Parliamentary and official experience, whether he could contemplate such a state of Parties in this House that a Secretary of State would advise Her Majesty to acquiesce in the plunder of Trinity College. And my right hon. Friend said that those who would plunder a Church would plunder a University. He plundered the Church—so far as Ireland is concerned. Well, Sir, I cannot conceive that the hon. and learned Member believes such a result as the plundering of Trinity College would take place. I hope he has not forgotten what has been said by my hon. Friend the Member for North Kerry (Mr. Sexton)—that there is no desire, as there is no danger, of plunder in this case.

MR. GOSCHEN: I am not afraid to meet the challenge of the right hon. Gentleman. I said that those who would plunder the Church would plunder a University, and the right hon. Gentleman assumed I was referring to the Irish Church. I did not say that or anything like it. He misinterpreted. He did not conceive the idea I had in my mind.

MR. MAC NEILL (Donegal, S.): You did it.

MR. DEPUTY SPEAKER: Order, order!

MR. GOSCHEN: These interruptions only prolong the proceedings. I believe that the present Government and their supporters would be perfectly prepared to direct the revenue of many

ancient Institutions. [*Cries of "You did it!" from the Irish Members.*] It is not a question of what I have done. I do not use the word "plunder," but the word "diverting." [*Renewed cries of "You did it!"*]

MR. DEPUTY SPEAKER: Order!

MR. GOSCHEN: The question is whether there is danger that the revenues of Trinity College will be tampered with, and I believe there are a large number of hon. Members opposite who regard that contingency as perfectly possible—[*Laughter and cries of "Hear, hear!"*]*—*and that it would be in accord with what has been already done in regard to ancient foundations. [*Interruption.*] At all events, there is nothing ridiculous in the statement. [*Further interruption.*] I think it is discourteous to interrupt—

MR. BARTLEY (Islington, N.) rose to call the attention of Mr. Deputy Speaker to a remark of an hon. Member below the Gangway near him. It was a very offensive remark, and he hoped they would be protected from those interruptions.

MR. DEPUTY SPEAKER: I hope there will be no further interruptions. It is most desirable that hon. Members should abstain from interrupting.

MR. GOSCHEN: The question is whether it is possible that that could happen. The right hon. Gentleman says that no Party could find a Secretary of State who would venture to advise Her Majesty to do this: but if a Commission were appointed—we know what opinion prevails among advanced Radicals—if a Commission were appointed and reported upon the question, does the right hon. Gentleman regard that as impossible? I do not say it is probable, but it is possible, and I think the case is one in which precautions should be taken. I do not think it is so entirely remote that the Chief Secretary should refer to it as he has done.

MR. DILLON (Mayo, E.) said, the right hon. Gentleman the senior Member for Dublin University (Mr. Plunket) was under some misapprehension as to the remarks of the hon. and learned Member for Louth, in reply to his colleague in the representation of the University. Speaking for himself, he (Mr. Dillon) had no desire to resist any

guarantees which would convey to the Representatives of Trinity College the most perfect sense of security against any action by the Irish Parliament to interfere with the privileges or the revenues of that Institution. He would suggest that Sub-section 6 of Clause 4 should be withdrawn, and that any Institution in Ireland which it was desirable to protect should be named in the Bill—Trinity College, and the Belfast Queen's College, if the hon. and learned Member wished. That would be better, he thought, than—and he would himself prefer it—the vague sub-section as it stood. The hon. and learned Gentleman (Mr. Carson) had been very reasonable, and he, for his part, would be pleased to meet his view as far as he could. In that he might hope that he spoke for those around him; but, at all events, he was personally willing to do as he had suggested.

MR. A. J. BALFOUR (Manchester, E.): The hon. Member who has just sat down has taken the opportunity, as I understood him, of suggesting a bargain. He suggests that the sub-section we are discussing should be withdrawn, and that we should name Trinity College—

MR. DILLON said, the right hon. Gentleman misunderstood him. He suggested that they should drop out Sub-section 6 altogether, and then let them devise a section which would give satisfactory protection to Trinity College and the Belfast Queen's College. They said that this sub-section gave complete protection. It was said by the hon. and learned Gentleman that it did not, and he said they should now provide a section which would be satisfactory to Trinity College; and, to prepare the way for that, he would have them withdraw the present sub-section.

MR. A. J. BALFOUR: Very well; I accept the explanation. I did not know that that was the hon. Gentleman's meaning. Then the hon. Gentleman says he would give protection to those two Institutions, and that all—

MR. DILLON: I spoke only for myself—with regard to protecting Trinity College and Belfast College.

MR. A. J. BALFOUR: Then all other Institutions are to be deprived of protection?

*Mr. Goschen*

MR. T. M. HEALY: What are they?

Another hon. MEMBER: We want to know what they are?

MR. DILLON: There are only two mentioned in the Bill.

MR. T. M. HEALY: What are they?

MR. A. J. BALFOUR: Hon. Members ask, what are they? I should like to know what the Royal College of Physicians would think of that? It is a proposal to which I cannot give my assent. This is the conclusion of a series of Amendments, in which we have debated the position in which the new Home Rule Parliament will stand towards education in Ireland. As the House knows, the proposal is to leave the question as it is now—in the case of the Imperial Parliament. I still adhere to that. I hold that we are bound to take care that Trinity College shall not be subject to any possible action on the part of the new Irish Government. Trinity College should be left entirely in the hands of the British Minister.

MR. J. MORLEY: The British Parliament.

MR. A. J. BALFOUR: It is the same—the British Minister would be subject to the British Parliament. We are entitled to say that Trinity College shall be subject to this Parliament, and not to the new Irish Government. I do not want to go into the question of Subsection 6, except to say that by the Amendment we have passed we give to hon. Members the power to set up a Catholic Institution. We are bound to go a step further. Is it not likely that those who have the control of a rival Institution should use that power for the purpose of injuring a rival Institution? Beyond the Roman Catholic hierarchy there will be a force capable of destroying the older Institution; and what security have we that this force will not be used? I venture to suggest that there can be no objection to the Amendment. The hon. Member who has just sat down has declared that he has no objection to it. He said he spoke for himself; but I suppose, to a certain extent, in what he said he represented the gentlemen sitting around him. At all events, I suppose they have no objection to the

principle of the Amendment. Well, if he has no objection, why should the Government wish to go beyond that—why should they have any objection? What possible motive can they have in refusing what hon. Members from Ireland accept? Hon. Members from Ireland admit that this can be done. I confess I cannot understand the attitude of the Government. I do not know how it is that they feel themselves obliged to resist the Amendment, and I hope that even at the eleventh hour they may find it in their power to accept the Amendment, and so help towards the settlement of a question which is a source of great difficulty in Ireland.

MR. SEXTON (Kerry, N.) said, he ventured to say that they had been somewhat unfairly treated in respect of this Amendment. The senior Member for Trinity College suggested that some concession had been made to them, and that they made no concession in return, and that by way of return they were bound to accept the Amendment now before them. He (Mr. Sexton) denied that account altogether. The transaction relating to the last Amendment was not merely a concession from one side. He thought those concerned with Trinity College had received as much as they gave. If the promise upon the question of a future University had not been made at the instance of the right hon. Gentleman the Chief Secretary for Ireland, there was no doubt that Trinity College would continue to be the subject of attack from the Catholics of Ireland. There was no doubt that the Catholics of Ireland would never rest content so long as their right to a University corresponding to Trinity College was denied. If the junior Member for Trinity College had not made his statesmanlike speech, a speech distinguished by a very creditable spirit, the compromise might possibly have been refused, or would have been carried only upon a Division. The result, however, secured was that Trinity College was now safe. No candid man of any creed in Ireland would deny that upon the establishment of a Catholic University the future of Trinity College would be absolutely safe, and that no man in Ireland would think of making or suggesting any attack upon its endowments or privileges, or upon the manage-

ment of its property. He claimed that the hon. Gentleman, who had conducted his case with skill, had gained so much for Trinity College as would, if he never made another speech, shed lustre upon his representation of Trinity College, and would entitle him to the eternal gratitude of that Corporation. He agreed with his hon. Friends that Sub-section 6 was most objectionable. It shut out many Institutions and Corporations, of which no list was given.

**MR. T. M. HEALY:** The Toll Bridge at Waterford.

**MR. SEXTON** said, yes; there was a Toll Bridge at Waterford, and the Irish Legislature would be obliged to leave that wooden bridge there for ever. He feared that there was a great variety of Institutions in Ireland which by virtue of Charters and local general Acts would come within the clause. He thought it would be offensive to the Catholics of Ireland, and he believed that in a little time after the passing of the Act it would become offensive to the feelings of the graduates and of many Protestants in Ireland that Trinity College should be singled out to be protected by the Imperial Parliament. He considered that Trinity College was absolutely protected by the Bill. They could not touch the College unless they got the consent of the College itself, or else upon an Address from the two Houses. Well, one of the Houses would be elected by the 170,000 electors of a valuation of £20 and upwards. It was claimed by the hon. Member for Armagh that the Unionists possessed not only the intelligence but the wealth of Ireland, and surely if that were so the Second Chamber must be, by a great majority, Protestant.

**MR. COURTNEY** (Cornwall, Bodmin) said, he thought they were a little out of Order in discussing Sub-section 6. As one who had urged in Committee that Trinity College should be reserved under the protection of the Imperial Parliament, he thought the Amendment just adopted on the Motion of the Chief Secretary had made a very considerable difference in the situation. Trinity College could not now be regarded as that exclusively Protestant establishment which it was described by hon. Gentlemen opposite. It had, no doubt, got a

*Mr. Sexton*

great history as a Protestant Institution. It had Protestant Chairs, and the greater part of its present Governing Body was Protestant. But they had heard now that under the Act of 1873 all the prizes and all the educational advantages and benefits of the foundation were open freely to all students, and more than one Roman Catholic had become a member of the supreme Governing Body. So that it was quite open to the Roman Catholics of Ireland to enter upon a contest for Trinity College, and after a time to capture the College. That, at all events, was the Constitutional situation of the College, and that undoubtedly left the College in a very perilous condition if the new Legislature were quite free to deal with the whole matter. But under the present proposition Trinity College would be pretty well protected. The University that might be set up would be a University having its origin in Catholic energy, and to a large extent endowed through Catholic munificence; but it must be, in all essentials, an open University; its prizes must be open to everyone, and its Governing Body open to everyone. That being the case, it would be rather overstraining the matter to attempt to push the Amendment further.

**\*MR. GERALD BALFOUR** (Leeds, Central) said, he would like to remind the House of the fact that in Committee the hon. Member for North Kerry declared that Trinity College was quite safe, but to-night he said that if this Amendment had not been accepted a determined attack on the privileges of endowments of Trinity College would necessarily have ensued.

**MR. SEXTON** said, the hon. Member had not quoted him correctly. What he intended to convey was that if justice were conceded to Catholic claims Trinity College would be absolutely safe.

**\*MR. GERALD BALFOUR** did not think the purport of the hon. Member's words corresponded to what he now said. This cast a most lurid light on the position of Trinity College, Dublin. Surely the College could not be sufficiently protected under Sub-section 6 of Clause 4 if, in the absence of the Amendment just accepted, a determined attack on the privileges of Trinity College must necessarily have ensued. The Chief Secretary objected



to the present Amendment because, if accepted, it would make it impossible for the Irish Parliament to deal with land or railways if Trinity College held property either in land or in railways. A more miserable, wretched, quibbling argument had not been used in the whole course of these Debates. He would do the Chief Secretary the justice of believing that this was not the mintage of the right hon. Gentleman's own mind. A lawyer's hand must have been at work here. Perhaps the hon. and learned Attorney General—

THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.) said, that was not so. His right hon. Friend had used words to that effect, but he withdrew them at his (Sir C. Russell's) suggestion.

MR. GERALD BALFOUR said, he apologised to the Attorney General, and was sorry for the Chief Secretary. The right hon. Gentleman said his object was to protect Trinity College, Dublin. It was clear from what had been said by the hon. Member for North Kerry that Trinity College would not be adequately protected unless this proposal was agreed to; and if the Government were not prepared to accept the Amendment, it would only be one more proof of their subservience to hon. Gentlemen below the Gangway.

MR. BARTLEY (Islington, N.) said, it seemed to be imagined that the Member for North Kerry was entitled to lay down the law upon this question; but the position had changed. When, however, a desire was expressed to protect Trinity College, Dublin, another bargain was struck and an attempt was made to get rid of all the exceptions laid down in the sub-section. It certainly seemed an extraordinary way of promoting harmony in that Assembly to put forward fresh demands whenever a concession was made. If the Protestants of Ireland chose to make use of the new University there was no reason why it should not be as much a Protestant University as Trinity College, which was not a Protestant University but was open to all denominations. If this were the case, however, the Irish Members would find that they had been deceived. He thought it must be acknowledged that the whole condition of University teaching in Ireland was in a somewhat chaotic state, and it would be well to recognise

that the Irish Legislature should have the right to establish a Catholic University if it pleased.

\*MR. T. W. RUSSELL (Tyrone, S.) said, the demand of Catholics in the past in this matter had been for equality, and, to listen to the hon. Member for North Kerry, one would have supposed that that demand had been conceded. All that had been conceded by the Chief Secretary's Amendment was equality in principle, and the House might depend upon it that the astute gentlemen who managed these affairs in Ireland would demand equality in endowment as well as equality in principle. Trinity College was a very wealthy Body. If the demand for equality were made where was the money to come from wherewith to meet it? Certainly the bankrupt Irish Legislature, as it had been described by the Nationalist Members, could not supply it, and he foresaw an agitation springing up in Ireland in favour of getting a share of the revenues of Trinity College for the purpose of endowing a Catholic University.

Question put.

The House divided :—Ayes 99 ; Noes 144.—(Division List, No. 275.)

MR. J. MORLEY : Mr. Deputy Speaker, I beg to move the Amendment which stands in my name. We have had a considerable amount of discussion upon it in connection with the Amendment of my hon. Friend the Member for Somersetshire (Mr. H. Hobhouse), and I do not know that at this stage I need do more than formally move it.

Amendment proposed,

In page 3, line 7, after Sub-section (4) to insert as a new sub-section the words—

“(5) Imposing any disability, or conferring any privilege, benefit, or advantage upon any subject of the Crown on account of his parentage or place of birth, or of the place where any part of his business is carried on, or upon any Corporation or Institution constituted or existing by virtue of the law of some part of the Queen's dominions and carrying on operations in Ireland, on account of the persons by whom or in whose favour or the place in which any of its operations are carried on; or.”  
—(Mr. J. Morley.)

Question proposed, “That those words be there inserted.”

MR. J. CHAMBERLAIN (Birmingham, W.) : I must say that I was sur-

prised at the very few words in which my right hon. Friend introduced this Amendment. He says that on the Amendment of my hon. Friend (Mr. H. Hobhouse) there was considerable discussion. What does he call discussion? There was a good deal of representation made by those who have been in communication with the Government in this matter, but there was absolutely not a single word of reply. This Debate has been carried on up to the present time in the most conciliatory spirit, both by the Government and by those who are generally opposed to them——

MR. J. MORLEY: May I interrupt my right hon. Friend? I thought there was no objection to the Amendment.

MR. J. CHAMBERLAIN: I really do not want to repeat anything I have said before — [*Ministerial ironical cheers*]—but I will do so at once if it is the desire of hon. Gentlemen who interrupt me. I may say, however, that I think I have already shown conclusively that the Amendment proposed by the Government does not fulfil the pledge given by the Prime Minister. I really must appeal to the honour of the Government. In matters of this kind there always is a very strict feeling of honour which induces a Government to act not only in the spirit, but according to the letter of any pledge or promise given; and I fully admit that, as far as we have gone, that has been the spirit in which my right hon. Friend the Prime Minister and his colleagues have conducted these discussions. I say that the Amendment of the Government does not deal in the slightest degree with indirect preference. The Prime Minister, when dealing with the subject, said there ought to be means of bringing under consideration the question whether indirect preference had been committed or not. Are the Government willing to accept from me an Amendment for the insertion of the words “directly or indirectly”? That would cover the pledge with regard to indirect preference given by my right hon. Friend. All I claim is a fulfilment of that pledge. I am obliged to ask the Government whether they intend to fulfil it. If they do not we have no means of forcing their hands; but in that case I must say there is an

*Mr. J. Chamberlain*

end of anything like agreements, even when they are made in the face of the House. My second point is this: My right hon. Friend the Prime Minister admitted that it should be the object of the Government to prevent anything in the nature of preference. He did not limit it to preference on account of birth, or parentage, or place of business, but spoke of any kind of unfair and illegitimate preference. That was the distinct understanding, and I pointed out in a speech which occupied some little while that there were numerous cases—and I gave illustrations of each class of case—in which the Amendment of the Government would not deal with preferences. I am satisfied with it as far as it goes if the words “directly or indirectly” be inserted, except that I say it does not go far enough or cover the understanding entered into by the Prime Minister.

THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.): I must remind the House of the history of the proposed Amendment of my right hon. Friend. A suggestion was made when a discussion was taking place on the question of preference on religious grounds——

MR. J. CHAMBERLAIN: I beg pardon for interrupting. In order to make the matter clear I will move to amend the Amendment by inserting the words “directly or indirectly.”

Amendment proposed to the proposed Amendment, to insert at the beginning the words “Directly or indirectly.”—*(Mr. J. Chamberlain.)*

Question proposed, “That those words be there inserted.”

\*SIR C. RUSSELL: During the discussion on religious preference my right hon. Friend suggested that the clause ought to be extended so as to cover preference of any kind. The House will recollect that a very extravagant illustration was given in support of that contention. It was said that some attempt might be made by the Irish Legislative Body to saddle Belfast with some responsibility which did not belong to it. Then there came a further suggestion from my right hon. Friend the Member for Great Grimsby (Mr. Heneage). He said that many of his constituents, being fishermen, occasionally resorted to the Irish coasts, and

he desired that they should be secured against any disability which did not apply equally to all persons in Ireland following the same calling. I think I have correctly sketched the argument put forward. We have, as we conceive, met that argument by the clause at it stands, because we believe the effect of the clause will be to put all the Queen's subjects upon the same platform of equality in this matter. No one is to be prejudiced on account of his parentage or place of birth, or of the place where any part of his occupation is carried on, and no Corporation or Institution is to be prejudiced on account of the persons by whom or in whose favour or the place in which any of its operations are carried on. I confess I am not able, as clearly as my right hon. Friend seems to think I ought to be, to see the way in which this Amendment fails to fulfil the contract entered into by the Government, with one exception. My right hon. Friend (Mr. J. Chamberlain) says the Prime Minister undertook to deal with indirect as well as direct preference. I think that the addition of the words "directly or indirectly" would not add any strength to the sub-section at all. At the same time, rather than have any difficulty about it, we are disposed to accept the Amendment. We had a long and interesting discussion on the Amendment of my hon. Friend the Member for Somersetshire (Mr. H. Hobhouse), and he gave us a number of illustrations of what might be done in relation to trade, agriculture, and so forth. The Government have never admitted, and do not desire now to admit, that they wish to tie the hands of the Irish Legislature so as to prevent them doing what they think right for the fair and just encouragement of the improvement of agriculture, and of the manufacture of butter, and so on. I do not think their hands will be so tied under this Bill. The notion that they will interfere with the butter and cheese industry of Great Britain does not seem to me to have much weight. I cannot think that any attempt that may be made to encourage Irish industry will be fraught with the danger to the English manufacturer which some hon. Members think. The Amendment of the hon. Member for Somersetshire is a very ungenerously, framed Amendment. I do not think the

great industries of England are likely to suffer at all under an Irish Legislature, for all I am sure that would be done would be to give assistance for the improvement of agriculture and for the development of other kinds of industries.

MR. JESSE COLLINGS (Birmingham, Bordesley) said, that the speech of the Attorney General, coupled with the speech of the hon. Member for North Kerry, informed them exactly where they were—that was to say, there was to be no open preference given on account of parentage or place of birth. Of course, if this preference was to be given at all, it was not likely to be given in an open and direct way. The rejection of the Amendment of his hon. Friend the Member for Somersetshire showed the House plainly that the door was to be left open for all kinds of premiums—that was to say, certain trades were to be fostered out of the Public Purse of Ireland to the detriment of similar trades in England. The hon. Member for the Woodbridge Division (Mr. Everett), in his innocence, had ridden off with the idea that the Amendment proposed by the Chief Secretary would protect the small agricultural manufacturers of Great Britain. The refusal of the Amendment of the hon. Member for Somersetshire showed that such was not the case, or intended to be the case, because that Amendment quite explicitly allowed all sorts of expenditure for the improvement of the industries of Ireland, but barred the giving of premiums for Irish industries when, and only when, they became injurious to the smaller industries in Great Britain. Therefore, they had now proof positive that the Government intended to keep an open door for the Irish Government to vote money to foster those small agricultural industries, which would affect the small agricultural producers of Great Britain rather than the large producers, and particularly affect the butter producer and the cheese producer. The intention of the Government was now quite plain, and there was no protection whatever to be given to the small producers in Great Britain against the unfair and unjust competition by the producers of Ireland. But not content with allowing the Irish Parliament to expend money on premiums for the encouragement of

the small agricultural producers of Ireland, to the injury of the small agricultural producers of Great Britain, but the money was actually to be provided by the British taxpayers themselves. It was a monstrous proposition. He regretted the Chancellor of the Exchequer was not present, for perhaps the right hon. Gentleman would be able to inform them how it was he was unable to find money to put down swine fever, and to encourage agricultural training in Great Britain, while he was expected to find money, to the extent, at least, of £500,000 a year—though they said it would be £2,000,000 a year—from the poor producers of Great Britain to enable the producers of Ireland to compete unfairly with themselves! Not content with doing nothing for the small agriculturists of England, to whom they owed their position, the Government were going to increase the fierce competition to which they were already subjected. The Opposition would have a good deal to say about all this in places where the Government could not gag them. This clause would be explained very clearly in the villages of England. The Government had given no reply to the Amendments. Let them give some arguments. If the Government were not permitted by hon. Members from Ireland to accept any Amendment, why did not they say so? The Opposition would then accept that explanation of the inability of the Government to grant them their wishes, and they would know clearly that their suffering industries were being sacrificed to the demands of the masters of the Government on the Irish Benches.

\*MR. EVERETT (Suffolk, Woodbridge) said, he formerly enjoyed the advantage of being represented by the right hon. Gentleman the Member for Bordesley (Mr. Jesse Collings), and he had always at that time thought him an eminently honest politician; but after his speech that night he began to doubt whether he had rightly appraised the right hon. Gentleman's position in this respect. The right hon. Gentleman had said that the smaller agricultural producers of Ireland would be placed in an advantageous position as compared with the smaller producers of Great Britain. But anyone who read the Amendment of the Chief Secretary must

plainly see that that contingency was by it amply provided for. Therefore, if the right hon. Gentleman went to the villages of this country with the argument that the Government were placing the farmers of Great Britain at a disadvantage compared with the small farmers of Ireland, he would go with a distinctly false case.

MR. GOSCHEN: The hon. Member who has just sat down thinks that the attitude of my right hon. Friend the Member for Bordesley (Mr. Jesse Collings) in regard to this Amendment is false. I do not know whether the hon. Member is aware that the hon. Member who sits on his own side for Somersetshire took precisely the same view as was taken by my right hon. Friend the Member for Bordesley. The hon. Member conceived that that was the direct result of the Government's proposal, and he voted accordingly. An hon. Member from Ireland, early in the Debate, made a challenge to English Members. He said that no English Member would get up and say that the Irish Legislature might not give some such preference to Irish farmers, which Ireland, being purely an agricultural country, might fairly claim. "Ireland," said the hon. Member, "is a poor country; England is a rich country"—though he might have added, parenthetically, that it has a very poor agricultural population—"who, then, would object on the part of the English to any preference that might be given to the Irish farmers?" The reply he got was that a Radical Member got up and said he would vote with the Opposition against the preference given by the Government. The hon. Member who has just sat down said it was perfectly right that the Irish should have some preference; that we did not grudge it to them; but that he had been assured by hon. Gentlemen on the Front Bench that everything else was provided for by the Amendment. I should like to know is that true? I should like to know what is the policy of the Government upon this question? Are they, or are they not, of opinion that it would be fair to allow the Irish Government to give some sort of fiscal preference to the great Irish industries? That is a fair question to ask, and there is no reason why the Government should not answer it with

*Mr. Jesse Collings*



perfect frankness. What I complain of is that no one knows the full effect of the right hon. Gentleman's Amendment, nor do we know precisely the policy which underlies it. The policy of the Government, no doubt, is to prevent undue preference being given to Irish industries by the Irish Parliament; but in its present terms the Amendment does not carry out that policy.

MR. J. MORLEY: We have accepted the words of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain).

MR. GOSCHEN: Oh, have you?

MR. SEXTON said, the Attorney General had stated that the words of the Amendment added nothing to the strength of the section, and it was, therefore, to be regretted that it was proposed to add it when it would have the effect of increasing the difficulty and uncertainty which the Irish Legislature must feel in the exercise of its functions. The course of legislation in Ireland would necessarily be a course of material reform of legislation upon material concerns. He wished to ask, supposing the Irish Legislature passed a Bill to use the public funds to supply fishermen on the coast of Ireland with better boats and gear, with the means of carrying fish and bringing it to market, or passed a Bill to afford the Irish farmers better instruction in agriculture by the establishment of schools and by giving prizes for the best cultivated farms, or passed a Bill to give prizes for the best conducted dairies with the object of improving the quality of Irish butter and for the purpose of competing with others, be it in England or elsewhere, he wished to ask whether the passing of such Bills would come within the meaning of this Amendment? He should wish to have a picture put before them of some of the acts on the part of the Irish Legislature which would expose them to the action of this clause. He also wished to know what was the meaning of the words "where any part of his business was carried on," also what were the "corporations" and "institutions" which were referred to? He also wished to know what was the meaning of the final words of the clause?

MR. J. MORLEY: I am rather surprised that my hon. Friend the Member

for North Kerry has doubts on this question, because I thought we indicated quite clearly, on the Amendment of the learned Member for Somersetshire, that all operations such as he described—the encouragement of fishing, the giving of prizes for the best fishing material, the improvement of dairy management, and all things of that kind, or some of them at least—are included in the work of the Congested Districts Board, and it was admitted by the other side that with those operations no one desired to interfere. The meaning of the phrase "the place in which any of its operations are carried on" is that, as my right hon. Friend the Member for Great Grimsby (Mr. Heneage) demanded, no law should be passed that should place the Grimsby fishermen at a disadvantage as compared with the Kinsale fishermen, or any other Irish fishermen, on account of the place where any part of their business is carried on.

MR. SEXTON: Does it mean locality or all Ireland?

MR. J. MORLEY: It means locality, not all Ireland. The words "corporation or institution" refer to the English and Scotch Insurance Companies which have offices in Belfast and Dublin.

COLONEL NOLAN (Galway, N.) said, he looked with great suspicion on the proposed new clause. There was an idea of protecting the industries of Ireland by preferential duties to be imposed on goods going into the country. Mr. Parnell gave that up in that House, but he got a *quid pro quo* of £1,400,000 under the Home Rule Bill of 1886. There was no *quid pro quo* in the present Bill for giving up preferential duties; and as he was afraid the Amendment would prevent them developing their industries in that way, nothing would make him vote for it.

Amendment amended, by inserting, at the beginning, the words "Directly or indirectly."—(Mr. J. Chamberlain.)

Question proposed,

"That the words '(5) Directly or indirectly imposing any disability, or conferring any privilege, benefit, or advantage upon any subject of the Crown on account of his parentage or place of birth, or of the place where any part of his business is carried on, or upon any corporation or institution constituted or existing by virtue of the law of some part of the Queen's dominions and carrying on operations in Ireland, on account of the persons by whom or in

whose favour or the place in which any of its operations are carried on; or' be there inserted."

SIR J. GORST (Cambridge University) rose to move, as an Amendment to the proposed new Clause, to insert in line 3, after "birth," the words "or residence." He thought that Amendment was necessary in order to carry out the intention of the Government as expressed by the Attorney General, for otherwise it was clear that disabilities could be placed on some persons by reason of residing in England or Scotland. For instance, it would be possible for the Irish Legislature to pass a law preventing persons residing in England or Scotland from holding certain property in Ireland.

It being Midnight, the Debate stood adjourned.

Debate to be resumed upon Monday next.

#### WILD BIRDS PROTECTION BILL.

Lords Amendments considered.

Lords Amendment, in page 1, line 10, to leave out the words "except as hereinafter provided," and to insert the words "and 'The Wild Birds Protection Act, 1881,' and those Acts and this Act may be cited together as the Wild Birds Protection Acts, 1880 to 1893," the first Amendment, read a second time.

MR. T. M. HEALY (Louth, N.) complained of the terms in which the Bill had been spoken of in the House of Lords, although it was introduced by a Member of the late Government, and of the remarkable changes it had undergone at their Lordships' hands. The Bill had been made unworkable.

\*SIR H. MAXWELL (Wigton) agreed that the Amendments which had been introduced into the Bill in the House of Lords tended to alter its character and make it unworkable. The principal objection he took to the Amendments was that, instead of giving the County Councils power to protect certain species of birds, they only enabled the County Councils to extend the protection to specified areas. He would illustrate the effect of such a provision by a concrete instance. A few years ago an attempt was made to make a raid on the breeding places of the great skua, an interesting

species of wild bird, which only frequented a few places in the Highlands of Scotland. If the areas in which the species breed were to be protected under the Bill as amended by the Lords every other species of egg would also have to be protected, and this would involve a great hardship, as the egg harvest was an important industry to the inhabitants. In the same way, if the County Council of Surrey desired to protect the nightingale, by an order prohibiting the taking of nightingale's eggs, they would have to include the eggs of the sparrow hawk and the carrion crow and other mischievous species in the order as well. He must, therefore, ask the House to disagree with the Lords' Amendments.

Motion made, and Question proposed, "That this House doth disagree with the Lords in the said Amendment."—  
(Sir H. Maxwell.)

VISCOUNT CRANBORNE (Rochester) said, he could not agree with his hon. Friend (Sir H. Maxwell) in this matter. He feared that the power proposed to be given to the County Councils was too extensive; and as his hon. Friend was not inclined to give the Lords' Amendments a more favourable reception, he should object to further proceeding with the Bill.

MR. CONYBEARE (Cornwall, Camborne) rose to Order. He asked was it fair for the noble Lord to get up and make a speech himself, and then preclude others from saying a word on the subject?

MR. DEPUTY SPEAKER: If objection is taken, of course the Bill must go over.

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed upon Monday next.

#### SHERIFF COURTS CONSIGNATIONS (SCOTLAND) BILL.—(No. 430.)

As amended, considered; to be read the third time upon Monday next.

! House adjourned at ten minutes after  
Twelve o'clock till Monday next.

## HOUSE OF COMMONS,

*Monday, 21st August 1893.***PRIVATE BUSINESS.****BLACKROCK AND KINGSTOWN DRAINAGE AND IMPROVEMENT BILL.**  
[Lords].

## THIRD READING.

Order for Third Reading read, and discharged.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) said, he begged to move that the Bill be re-committed for the insertion of certain Amendments, which were, through inadvertence, omitted when the Bill was considered on Report.

Motion made, and Question proposed,

"That the Bill be re-committed to a Committee of the whole House in respect of Clauses 24, 25, 28, 32, 38, 45, 61, 62, 64, 69, 75, 76, 87, 107, and 116, of a New Clause, Fourth and Sixth Schedules, the Preamble, and Title."—  
(Mr. J. Morley.)

Question put, and agreed to.

Bill considered in Committee, and reported, with Amendments; as amended, to be considered.

**QUESTIONS.****PROMOTION FROM THE RANKS.**

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether the new instructions issued by the War Office, in reference to the Promotion Warrant largely reducing the age at which men who have entered the Army as privates can be promoted to a commission, were intended to be unfavourable to the promotion of the ordinary "ranker," and favourable to the gentleman private, and whether in any case that will be the result; whether the additional new requirement that the candidate for such promotion shall be unmarried is in accordance with the Regulations which sanction the marriage of non-commissioned officers, who would otherwise be eligible for such promotion;

and whether it is the policy of the War Office to make it more difficult for the ordinary private soldier to obtain Her Majesty's commission?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The alteration in question reduces the age at which a non-commissioned officer may be recommended for a commission, not that at which he may be promoted. The new Regulation is, in fact, more favourable to the "ordinary ranker" than to the "gentleman private"—to use the hon. Member's own words; and the stipulation suspending the rule in the case of men of specially meritorious service enables good soldiers to receive promotion. It is not considered desirable, in the interest of the Service, to promote married non-commissioned officers to combatant commissions, as they would in almost every instance have difficulty in supporting themselves as commissioned officers.

**TELEGRAPHIC FACILITIES IN COUNTY CAVAN.**

MR. YOUNG (Cavan, E.): I beg to ask the Postmaster General if he can state the result of his inquiries into the matter of the opening of a telegraph office at Shercock, County Cavan; and if he is aware of the necessity of opening a telegraph office in this place where the coroner of the district resides?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): From the Reports which have just reached me, I fear that it would not be possible to establish a telegraph office at Shercock without guarantee; but I am having further inquiry made, and I will let the hon. Member know the result.

**GAME LICENCES.**

MR. LLOYD MORGAN (Carmarthen, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to an application made on Saturday, 8th July, to the Magistrates for the County of Carmarthen, sitting at Carmarthen, by one David Owen, for a renewal of a licence to sell game, which he had held for some years; whether he is aware that it was stated by one of the Magistrates that it was refused upon the ground that such licences encouraged poaching, and that no other reason was

given for the refusal; and whether he will inquire if there was any sufficient reason for refusing the licence?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I have been in communication with the Clerk to the Justices, and am informed that the licence was not refused on the ground that such licences encouraged poaching, but that having heard the application on its merits and considered all the facts bearing upon the question, the Justices in exercising their discretion did not think fit to grant the application. The discretion of the Justices is absolute, and they are not bound to assign any reason for the manner in which they exercise it in a particular case.

#### MAGISTERIAL APPOINTMENTS.

MR. HERBERT LEWIS (Flint, &c.): I beg to ask the Secretary of State for the Home Department whether Lords Lieutenant of counties excuse themselves from appointing additional Magistrates on the recommendation of the Lord Chancellor, on the ground that, if such Magistrates were appointed, the usual limit of number would be exceeded; whether he is aware that a large proportion of Magistrates never attend Quarter or Petty Sessions in the counties for which they have been appointed; and whether the Lord Chancellor will take steps to remove from the Commission of the Peace any Magistrate who has failed for one year to attend a meeting of Quarter or Petty Sessions, and thereby make room for duly qualified persons who will attend to Magisterial duties?

MR. ASQUITH: Some Lords Lieutenant have represented to the Lord Chancellor that the appointment of additional Magistrates in particular Petty Sessional Divisions would cause an excess over the usual number. The Lord Chancellor is aware that a large number of Magistrates never do attend. It is by no means clear that he has the power to remove from the Commission all Magistrates who have failed for one year to attend a meeting of Quarter or Petty Sessions; but, in the opinion of the Lord Chancellor, the presence of the names of such persons on the Commission is no sufficient ground for abstaining from making other appointments.

*Mr. Lloyd Morgan*

#### QUARANTINE.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the President of the Local Government Board whether his scientific advisers are of opinion that the system of quarantine is under any circumstances desirable?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): It has only been necessary for the Local Government Board to determine the question as to the adoption of a system of quarantine in connection with cholera, and the scientific advisers of the Department are strongly of opinion that quarantine in connection with that disease is very undesirable. The administration of the Quarantine Acts now devolves on the Privy Council, and not on the Local Government Board, and quarantine would be enforced only in cases of yellow fever or plague. I am informed that it has been considered desirable to have the power to put in force quarantine in these cases in order to prevent the hindrance to navigation which might arise when yellow fever is prevalent in South America if, in consequence of quarantine not being declared in England, ships coming from England were treated by other countries as liable to quarantine.

#### EDINBURGH MUSEUM.

MR. PAUL (Edinburgh, S.): I beg to ask the Secretary to the Treasury whether the Treasury have now considered the claims of the attendants at the Edinburgh Museum to be placed on an equal footing as regards pay, promotion, and leave with attendants doing similar work at South Kensington; and, if so, what is the decision of the Department?

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): Yes, Sir; the decision of the Treasury was conveyed to the Science and Art Department in a letter dated the 27th July, and the rates of pay have been improved so as to approximate to those in force in London and Dublin.

#### THE ARMY PAY DEPARTMENT.

MR. CLANCY (Dublin Co., N.): On behalf of my hon. Friend the Member for the Harbour Division of Dublin, I beg to ask the Secretary of State for War when



the promised Warrant affecting the pay and prospects of the staff clerks of the Army Pay Department will be issued?

\*MR. CAMPBELL-BANNERMAN: The Warrant for the Army Pay Corps has been issued with the Army Orders for this month.

#### COLLOONEY AND CLAREMORRIS RAILWAY.

MR. CLANCY: I beg to ask the Secretary to the Treasury whether it is a fact that it is three years since land was taken in the County of Mayo for the purposes of the proposed railway from Collooney to Claremorris, and that no progress has since been made with the construction of that line; and, if so, what is the cause of the delay in the matter?

\*SIR J. T. HIBBERT: There is no foundation for the statement in the question, as is proved by the fact that advances on account of the Government grant have been made to the extent of £71,791 up to the 31st ultimo. I am not aware that there is now any obstacle to the progress of the line, which is in the hands of the contractor.

#### THE CORK MAILS.

MR. MAURICE HEALY (Cork): I beg to ask the Postmaster General whether any arrangement has now been come to with the Great Southern and Western Railway Company to run the ordinary Cork mails direct to and from Kingstown through Islandbridge Junction without going into Kingsbridge Station?

MR. A. MORLEY: As I informed the hon. Member on March 10, the alteration suggested in the question is one which concerns the Railway Company rather than the Post Office, and I regret to say the Railway Company have not seen their way to adopt the suggestion.

#### SPECIAL TRAINS FOR AMERICAN MAILS.

MR. MAURICE HEALY: I beg to ask the Postmaster General, with reference to the practice in cases where special mail trains with American mails are sent from Queenstown to Kingstown of keeping the special mails at Kingsbridge until the ordinary mail is being sent to Kingstown, whether on Friday,

the 11th instant, a special mail train carrying the mails landed at Queenstown by the *Campania* reached Kingsbridge at 6.7 p.m., and was kept there until the ordinary mail train left for Kingstown, with the result that on its arrival, in addition to the ordinary mail, 440 sacks of American mails had to be shipped, the mail boat being thus delayed 31 minutes in starting, and there being a general delay of half an hour all through up to London; and whether an arrangement will now be made to send forward such special mails to Kingstown at once without waiting for the ordinary mail, and thus delaying the whole service?

MR. A. MORLEY: The *Campania* arrived off Queenstown at 30 minutes after noon on Friday, the 11th instant; that is, before the hours fixed for employing the special service through to London (2 p.m. to 7 p.m. on Friday). The mails were in time for conveyance by the ordinary afternoon mail train from Queenstown, and they would, in the ordinary course, have been sent by that train. They were, however, forwarded to Kingsbridge by a special passenger train run by the Great Southern and Western Railway Company for their own purposes. It was not considered necessary to run the mails on by special train from Kingsbridge to Kingstown Pier, whence the Irish Night Mail Packet started only 17 minutes—not 31 minutes—late for Holyhead. There were about 400 bags of American mails to be disembarked, and the train left Holyhead Pier 19 minutes late. Seven minutes more were lost on the journey to Euston, where the train arrived 26 minutes late. I am not prepared to lay down any general rule in the sense indicated in the second paragraph; but it is obvious that, in ordering special trains for postal purposes, regard must be had to the degree of advantage to be gained.

MR. MAURICE HEALY: Is it the fact that in all cases where the special train was not run from Queenstown to Kingsbridge the mails were kept until the ordinary train?

MR. A. MORLEY: I cannot say; but, if the hon. Member wishes, I will ascertain.

MR. MACARTNEY (Antrim, S.): What is the reason for stopping the special mail trains with American mails

for eight minutes at Westland Row ? I believe it is constantly done.

MR. A. MORLEY : I think it is the action of the Railway Company, and not of the Post Office.

MR. MAURICE HEALY : Has the right hon. Gentleman entered into negotiations, as promised, with the Railway Company with a view to having the mails sent forward from Kingsbridge direct to Kingstown ?

MR. A. MORLEY : The company appear to be averse to the proposal.

#### GOVERNING BODIES UNDER THE ENDOWED SCHOOLS ACT.

MR. BARROW (Southwark, Bermondsey) : On behalf of the hon. Member for the Rushcliffe Division of Nottingham, I beg to ask the Parliamentary Charity Commissioner what explanation there is of the fact that in the constitution of the Governing Bodies, under the Endowed Schools Acts, so meagre a recognition appears to have been given to the representative principle, as disclosed in Return No. 244, Session 1893, many of the persons entered in column (b) being nominated by individuals, and the principle only applying "eventually" in a very large number of cases ; and whether he can assure the House that this principle shall now receive full and primary recognition by the Charity Commission in the constitution of these Governing Bodies ?

\*THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire) : The Return appears to have been misunderstood. Column (b) relates solely to Governors appointed as co-optative Governors, and the word "eventually" in that column has no reference to representative Governors. The representative principle, the application of which is set out in column (c), takes effect at once with a single exception noticed in the last column on page 3. The occasional appointment of a Governor, or Governors, by an individual is due to special circumstances, as, for instance, the recent gift of £20,000 by a late Duke of Bedford. The Commissioners believe that the Return, on examination, will show that the representative principle receives full recognition in the schemes comprised within its scope, especially since the establishment of County Councils under the Local

Government Act of 1888. The passage of the Parish and District Councils Bill of this year will make the further application of the principle still more easy and sure.

#### THE SALE OF PATENT MEDICINES.

MR. FRYE (Kensington, W.) : I beg to ask the Secretary to the Treasury, it having been stated by the Parliamentary Committee of the British Medical Association, in their recent Report on the sale of patent medicines, that the further action of the Public Prosecutor in respect of actions taken by him has been limited by the directions given to the officers of the Treasury by the Attorney General, firstly, to prosecute only in the event of a particular preparation being really poisonous or dangerous on the ground of poisonous ingredients ; and, secondly, that the mere presence of a poisonous ingredient, if not in sufficient quantity to make the article sold poisonous, would not justify proceedings under the 17th section of the Act, is the Pharmaceutical Society justified, in face of this restriction, in continuing to demand penalties from tradesmen throughout the Kingdom ; and, if so, on what grounds ?

SIR J. T. HIBBERT : The directions given by the late Attorney General to the Department of the Solicitor to the Treasury are correctly quoted, and they have been, and are still, acted upon by the Director of Public Prosecutions ; but I am not prepared to give a legal opinion on the action to be taken by the Pharmaceutical Society in the exercise of its discretion, or in accordance with the advice of its own legal advisers.

#### DUBLIN MAIL DELIVERIES.

MR. W. KENNY (Dublin, St. Stephen's Green) : I beg to ask the Postmaster General if he is aware that letters arriving in Dublin by the day mail steamer from Holyhead are not delivered in the Pembroke township of Dublin until about 9 o'clock p.m., after the city deliveries ; whether these letters are sorted on board the steamer, and are ready to be handed to the letter carriers on their arrival in the city about 5.30 p.m. ; and if he will take steps to expedite the delivery in this township, the more especially as English letters by the same steamer are delivered in the

*Mr. Macartney*

neighbouring township of Kingstown about 6 o'clock p.m.?

**MR. A. MORLEY:** The day mail letters from England for the Pembroke township of Dublin are not delivered at present until the last delivery, which commences between 7.0 p.m. and 8.0 p.m., and which includes the letters from the Irish Provinces reaching Dublin by up day mail. The question of making an earlier and special delivery of these English letters has been repeatedly considered, but the cost involved has hitherto been found more than could be justified.

#### THE CORDITE PATENT. ?

**MR. HANBURY:** I beg to ask the Secretary of State for War what were the terms of the Reference to the Explosives Committee appointed 10th July, 1888, and dissolved in 1891; whether the War Office authorised such Committee to improve upon, or modify, as well as to examine, the private inventions submitted to them; whether, if so, all competitors, before submitting their inventions, were officially informed that their inventions were thus liable to be improved upon and modified, and these modifications be patented against them, or what information was given to them upon this point; how many private inventors sent in their inventions before the date at which Messrs. Abel and Dewar took out the first of their English patents, Nos. 5,614, 8,718, 11,664, and 11,667 of 1889; how many did so before these Members of the Committee, or either of them, took out a patent abroad, and were foreign patents so taken out or applied for in Germany, in Austria, in France, and in Belgium in 1889; were the inventors who submitted samples for competitive trial with each other, and with cordite a year later, in 1890, officially informed that two members of the Committee who were to judge upon them had previously patented cordite in their own names, both at home and in foreign countries; for what reason was the manufacture of cordite specially allowed to be kept a secret in this country, and for what period, after it had been disclosed to foreign manufacturers on the Continent; when did the War Office first become informed as to all the foreign patents, and by what means; what action did the War Office there-

upon take with reference to the application for, and the assignment of, foreign patents by its own officials for the manufacture and use abroad of its own secret explosive; and what steps has he yet taken to protect English inventions against any possible unfair competition by the War Office in future, or the War Office against having its secret processes or patents disclosed by its officials or otherwise, by means of foreign patents or other methods, to Continental Powers?

**\*MR. CAMPBELL-BANNERMAN:** The instructions to the Committee were general, and were as follows:—

“The Committee is appointed for the purpose of considering questions relating to new explosive agents, or to new applications of or improvements in the production and application of known explosive agents, which will be referred to the Committee by order of His Royal Highness the Commander-in-Chief for consideration or investigation and report,”

and full directions were given as to carrying out these instructions. The Committee was appointed for three years, and during that period all explosives submitted to the Department, and all questions which arose relating to explosives were from time to time referred to the Committee for consideration and report. With regard to Questions 2 and 3, it was quite understood that the Committee were to endeavour by every means in their power to develop the science of explosives, and to place the Service in possession of those best adapted to meet its various requirements. The object of the Department was not to decide on the merits of rival inventions, but to obtain the best material for the Public Service. For this purpose the Committee were naturally entitled to suggest improvements and modifications, and no special intimation to that effect was required. In answer to Question 4, before 1888, when the Committee was appointed, many proposals had been submitted to the Department, the records of which were accessible to the Committee. At the time the Committee was formed eight explosives were under consideration, and the investigations with regard to those were taken up by the Committee. Between that date and the date of the first application for patent by Messrs. Abel and Dewar eight others came under their consideration. I cannot give the information asked for

paragraph 5. The Department has no particulars in regard to the taking out of the foreign patents. In answer to 6, the actual publication of the specification of the cordite patent was almost simultaneous with the arrangements for competition; but the circumstances, and the fact of a patent having been applied for, were well known to all concerned. It is not accurate, by the way, to speak of the Committee judging the inventions; the Committee carried out the trials and reported the results, but were not the judges. With regard to Question 7, so far as its ingredients are concerned, cordite was not kept a secret. The only specification which was for a time sealed related to the form in which the material was to be produced. This was sealed from June 28, 1890, till May 28, 1892. But, as a matter of fact, the process of manufacture was disclosed in the specification for machinery published in July, 1890. I cannot answer as to the foreign patents, not knowing their dates. As to Question 8, Sir Frederick Abel informed the Director of Artillery, March 25, 1891, that he and Professor Dewar had transferred their foreign patents; but, as I have already said, the Department was not concerned as to those patents, and particulars were not asked for and were not communicated to the Department. With reference to Question 9, it was not considered necessary to take any steps, and the explosive was not a secret. In the last question the hon. Member assumes that there has been unfair action on the part of the War Office, and that its secret processes have been disclosed, neither of which assumptions appear to be supported by fact.

**MR. HANBURY:** Do I understand the right hon. Gentleman to say, as a matter of fact, the secret of cordite was not disclosed to the German manufacturer when the patent was transferred to him? Is it a fact, too, that the transfer was not made known to the War Office till two years after it had actually taken place? Further, is it a fact that neither in 1888 nor in 1890 was any official intimation given to private inventors that the inventions submitted by them were liable to be improved upon by the War Office or that two members of the Ex-

plosives Committee had already taken out patents in foreign countries?

**\*MR. CAMPBELL-BANNERMAN:** I have not said that they had already taken out patents. I am not aware of the dates. When my hon. Friend says the secret was disclosed at the time of the transfer of the foreign patents my answer is, You cannot disclose a secret when it is not a secret, and the principles and ingredients of cordite have never been a secret.

**MR. HANBURY:** Is it not a fact that the patent was taken out in 1889, and transferred the same year, although the War Office were not informed of it till 1891.

**\*MR. CAMPBELL-BANNERMAN:** I have quoted the dates given to me. My hon. Friend knows I have no personal cognisance of them, not having held an official position at the time. I do not think, however, the facts bear out the statement of the hon. Member.

#### THE HYDERABAD PLOT.

**MR. NAOROJI (Finsbury, Central):** In the absence of the hon. Member for Elgin and Nairn, I beg to ask the Under Secretary of State for India whether he is now aware that a person named Jowad Hussain has been arrested in Hyderabad, Deccan, on a charge of plotting to murder the British Resident, Mr. Plowden, or to blow up the Residency with dynamite; and that the arrest is stated to have been in consequence of the production to the Nizam by Mr. Plowden of a letter purporting to warn him that such a plot existed; whether there is any ground to believe in the existence of such a plot; and, if so, are any other persons stated to be implicated in it; what was the cause of the banishment from Hyderabad, on 15th ultimo, of the Political and Financial Secretary, the Nawab Mohsin-ul-Mulk, Mehdi Ali; and having regard to the circumstance that similar designs on Mr. Plowden's life when he was Resident at the Court of the Ruler of Cashmere were attributed to that Ruler, and were without inquiry afterwards put forward as one of the causes officially assigned for his deposition, Her Majesty's Government will direct that a full and careful inquiry be made by some indepen-

*Mr. Campbell-Bannerman*



dent authority into the facts connected with the alleged plot, and the other recent events in Hyderabad which have been brought to their notice, so as to insure that no injustice is done to the Nizam's Government?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): As regards questions 1, 2, and 3, the following information has been received by telegraph from the Viceroy:—

"One Jowad Hussain, arrested in Hyderabad, but not on Resident's initiation, is principal person charged with complicity in plot to murder Resident. Facts not yet elicited, but Departmental inquiry is being held by two Judges of Nizam's High Court. Mehdi Ali resigned and left State under Nizam's orders in consequence of implication in one lakh of rupees bribery case. Complete correspondence regarding this incident posted 13th instant."

In view of the fact that an inquiry into the alleged plot is now being held by two Judges of the Nizam's High Court, the Secretary of State thinks it unnecessary, at the present stage of affairs, to order a separate inquiry to be held.

#### THE HOLYHEAD AND KINGSTOWN MAILS.

MR. SEXTON (Kerry, N.): I beg to ask the Postmaster General when he proposes to act with regard to the expiring contract for the carriage of mails between Holyhead and Kingstown?

MR. DANE (Fermanagh, N.): At the same time, I will ask the right hon. Gentleman has he considered the question of determining the existing contract for the carrying of mails between Kingstown and Holyhead; and, if so, with what result?

MR. A. MORLEY: As stated on the 14th instant, in reply to a question of the hon. Baronet the Member for West Kerry, the time has not yet arrived for considering whether the present contract for the Mail Packet Service between Kingstown and Holyhead shall be determined; but when that time does arrive the whole subject will receive most careful attention. The existing contract has two years to run.

MR. DANE: But must not the notice to terminate be given before the 30th of next month?

MR. A. MORLEY: No. It must be given before the 30th September, 1894.

MR. SEXTON: With a view to securing an accelerated service, will the right hon. Gentleman issue the notices for fresh tenders in good time?

MR. A. MORLEY: That matter is one which will be taken into consideration.

MR. MACARTNEY: Will the right hon. Gentleman also consider whether the train service cannot be accelerated?

MR. A. MORLEY: I think we have done all we can in the way of accelerating that.

MR. DANE: When does the contract expire?

MR. A. MORLEY: In September, 1895.

#### THE BEHAR CADASTRAL SURVEY.

MR. BARTLEY (Islington, N.): In the absence of the right hon. Member for Cambridge University (Sir J. Gorst), I beg to ask the Under Secretary of State for India whether the Lieutenant Governor of Bengal was officially authorised to admit, in his letter to *The Times* on the Behar Cadastral Survey, that he wished the state of the finances enabled the Government to bear a larger portion of the expenditure; whether the Government of India has finally decided that seven-eighths of the large cost of this survey shall take the form of new land taxation in Behar, levied on the landlords and the tenants in equal shares; whether this decision has been approved by the Secretary of State, as not infringing the permanent settlement; and whether the section of the Bengal Tenancy Act, under which the taxation will be imposed, expressly limited such taxation to a local area?

MR. G. RUSSELL: The Secretary of State is not responsible for the letter written by Sir C. Elliott which appeared in *The Times* of 12th August. No final decision has yet been passed in regard to the cost of the Behar Cadastral Survey. Yes. Chapter 10, Clause 114, of the Bengal Tenancy Act uses the words "local area."

#### BOGUS DRINKING CLUBS IN DUBLIN.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of recent disclosures in the Dublin Police Courts as to the mischief being done by bogus clubs, he will take steps to secure

the extension to Ireland of the Registration of Clubs Bill now before the House?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): Up to the present the Dublin police have instituted 16 prosecutions against these bogus drinking clubs, and the Magistrates have imposed fines amounting to £408, of which amount a sum of £158 has been paid into Court. Nine persons are undergoing terms of from three to six months' imprisonment for non-payment of fines. Two cases were dismissed and five are pending. Five of the clubs ceased to exist after prosecution, and the remainder have shown a great decrease in business, to the consequent benefit of the general public. In the event of its being found that there is a prospect of the Bill becoming law, I shall be prepared to consider whether its provisions should be applied to Ireland.

#### THE ARMY MEDICAL SERVICE.

MR. JACKS (Stirlingshire): I beg to ask the Secretary of State for War if he has received a Memorial from the Senate of the University of Glasgow concurring with a joint Memorial presented to him by the three Scottish Corporations who confer licences to practise medicines, surgery, and midwifery, in respect of the action of the War Department confining the selection of medical and surgical examiners for the competitive examinations for admission to Her Majesty's Army Medical Service solely to the past and present Examiners of the London Colleges of Physicians and Surgeons; and if, having regard to the dissatisfaction and irritation aroused by such a course, the War Office can see their way to reconsider their decision?

\*MR. CAMPBELL-BANNERMAN: Yes, Sir; such a Memorial has been received, and an answer has been sent to the effect that there is no intention whatever of conferring upon any Medical Corporation such a monopoly as that alluded to. The Examiners have, in the present instance, been selected from the Examiners to the Royal Colleges in London; but it is quite open to the Secretary of State to replace some of them as vacancies occur by members from the Examining Bodies in Scotland and Ireland.

*Mr. Maurice Healy*

DR. MACGREGOR (Inverness-shire): Cannot the present arrangement be terminated at the end of one year? Has my right hon. Friend contemplated such a misfortune as his not being in power four years hence?

\*MR. CAMPBELL-BANNERMAN: I can contemplate such a misfortune with perfect equanimity. The present appointments have been made for four years, and cannot be interfered with.

#### PROPOSED FRENCH CANAL ACROSS THE MALAY PENINSULA.

MR. CURZON (Lancashire, Southport): I beg to ask the Under Secretary of State for Foreign Affairs whether he can inform the House if it is true that the French Plenipotentiary to Bangkok has been instructed to demand a French concession for a canal across the Malay Peninsula; and whether, if he has no information, Her Majesty's Government will address an inquiry to the French Government on the matter?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): I quite agree with the hon. Member as to the importance which any such proposal would have as regards British interests; but it is not desirable to address a formal inquiry to the French Government founded only upon an unauthorised report in the Press.

#### BRITISH GUNBOATS OFF BANGKOK.

MR. CURZON: I beg to ask the Under Secretary of State for Foreign Affairs whether any British gunboats still remain at Bangkok; and, if not, why they have been removed?

\*SIR E. GREY: According to the latest information received by Her Majesty's Government the *Linnet* is still at Bangkok; only the *Pallas* and *Pigmy* have left.

MR. CURZON: I saw in the papers the statement that the *Linnet* also had been removed. Perhaps, therefore, I may be allowed to put the question again on the Paper, in order to enable the hon. Baronet to ascertain a little more accurate information another day.

\*SIR E. GREY: Our latest information is that the *Linnet* remains. If it

has been removed it is only because the authorities on the spot were quite sure that there was no further danger.

#### THE CARRYING TRADE BETWEEN ALGERIA AND FRANCE.

**MR. CURZON:** I beg to ask the Under Secretary of State for Foreign Affairs whether from 1st October next the carrying trade between Algeria and France will be exclusively confined to French vessels, Great Britain, in common with other Foreign Powers, having surrendered her right of participation; whether he is aware that the bulk of the trade is carried in British ships; whether, had any single Power withheld its sanction, the trade must, in virtue of existing Treaties, have remained open to all flags; and for what reasons the above concession has been made?

**\*SIR E. GREY:** We have not been informed that the change as to the carrying trade between France and Algeria is to take effect on the 1st October. In 1889, the French Legislature passed a law which restricted this navigation to vessels under the French Flag, and the French Government intimated most positively that they must terminate any Treaty which prevented the application of it. Under the circumstances, Her Majesty's Government agreed to modify one clause of the Treaty of 1882 to the extent required rather than to terminate the whole Treaty. The figures for 1890 show that, so far from the bulk of the trade being carried in British ships, 93 per cent. of the shipping engaged in the trade was French, and only 2 per cent. was British.

#### THE ARMENIAN PRISONERS.

**SIR R. TEMPLE (Surrey, Kingston):** I beg to ask the Under Secretary of State for Foreign Affairs whether any representations can be made to the Porte in the cases of the Pastor of Gemerek, sentenced to imprisonment, and believed to bear a high character, also of Dikran Gulbankian, a student, awaiting trial at Angora; and whether the Sultan's clemency can be solicited on behalf of several graduates of the Marsovan College, who are understood to have arrived at Constantinople, before they are scattered and sent to distant prisons?

**\*SIR E. GREY:** The sentence on the first-named prisoner has been reduced already from 15 years' penal servitude to six years detention in a fortress. Inquiry will be made as to Dikran Gulbankian. Representations on behalf of some of the prisoners already sentenced have been made to the Porte. Further efforts must depend upon subsequent information.

#### THE INDIAN CURRENCY QUESTION.

**MR. EVERETT (Suffolk, Woodbridge):** I beg to ask the Chancellor of the Exchequer whether he has taken notice of the fact that the new currency arrangements in India, intended to secure steadiness of exchange between the sovereign and the rupee, while not having done this, have been followed by a widening of the divergence between the values of silver and of gold, by the opening of new difficulties between India and other silver-using countries, and by an increase of the difficulties of British trade with those countries; whether he is aware that on Wednesday last Senator Gray stated to Members of both Houses of Congress of the United States that he violated no confidence in stating that President Cleveland is in favour of securing a par of exchange between gold and silver moneys with free coinage for both; and whether, in view of this favourable disposition of the United States Government towards securing a par of exchange, and in view of the common interest the two kindred nations have in the re-establishment of such a par on a durable basis, our Government will open negotiations with that of the United States in order to learn whether common action between the two Governments to secure such re-establishment can now be taken?

**THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby):** I must remind my hon. Friend that on February 28 a Resolution was moved

"urging Her Majesty's Government to use its utmost influence to procure the re-assembly of the Monetary Conference in order to find some effective remedy, in concert with other nations, in view of the serious evils resulting from the growing divergence of value between gold and silver."

That Resolution was defeated by a majority of 81, and, in its place, an Amendment was carried declaring

"that any interference with the single monetary standard now by law established in this country is open to the gravest objections,"

and

"this House thinks it inexpedient that the Government should take any steps to procure the re-assembly of that Conference."

That the Government of the United States is favourable to a bimetallic system has always been well-known; indeed, they made a formal proposal at Brussels to that effect, which was, however, withdrawn from want of support from the European States. The Government find nothing in the existing state of things, or in anything which has recently occurred in India, to alter the Resolution already announced by them, and approved by the House of Commons, not to interfere with

"the single monetary standard now by law established in this country."

MR. EVERETT: Is the right hon. Gentleman aware of the circumstances under which the majority of 81 in the House of Commons was obtained? Did not many hon. Members favourable to an International arrangement vote in that majority because of the severity of the discipline of the Party Whips; and has not the result of the recent action in India somewhat altered the complexion of affairs?

SIR W. HARCOURT: I really cannot give any information on that point. I have not myself been subjected to the severity of the Whips.

MR. CHAPLIN (Lincolnshire, Sleaford): Is it not the fact that since the period referred to by the right hon. Gentleman, and very much owing to the action of Her Majesty's Government, the divergence between the values of gold and silver has enormously increased, together with all the difficulties arising from it, and, under those circumstances, are the Government not prepared to modify the opinions they have expressed, and to accede in some respect to the terms of the hon. Member's question?

SIR W. HARCOURT: I have already answered that question, but I will repeat the answer. It is—

"The Government find nothing in the existing state of things, or in anything which has recently occurred in India, to alter the Resolution already announced by them, and approved by the House of Commons, not to interfere with the single monetary standard now by law established in this country."

*Sir W. Harcourt*

MR. CHAPLIN: Then, in the opinion of Her Majesty's Government, there are no steps which can be taken to modify the difficulties of the present situation, except to alter the standard by law established?

SIR W. HARCOURT: I have not said that.

MR. CHAPLIN: What was your answer?

\*MR. SPEAKER: Order, order!

#### WELSH INTERMEDIATE SCHOOL SCHEMES.

MR. EGERTON ALLEN (Pembroke, &c.): I beg to ask the Parliamentary Charity Commissioner whether the clauses in the Intermediate School Schemes of Carnarvon and Merioneth relating to religious instruction and observances in hostels of a school will exclude the reading of collects as a part of family worship?

\*MR. T. E. ELLIS: A similar question was asked a few days ago by the hon. Member for Islington, to which, under a misapprehension as to its purport, I gave a reply which I desire to modify. It would appear, from a consideration of the provisions of the two Schemes to which the hon. Member refers, that they do not exclude the reading of collects as a part of family worship, provided that those collects are not formularies of any particular denomination.

MR. BARTLEY: Do I understand that the answer given to me by the hon. Gentleman last week was given under a misapprehension, and that these Collects are allowed under the Scheme to form part of religious worship in these hostels?

\*MR. T. E. ELLIS: Yes, with the provision inserted in the Scheme that they are not formularies of any particular denomination. The matter will first be decided by the local Governing Body, and if they have any further difficulty a further application will have to be made to the Charity Commissioners under Clause 106 of the Scheme for Carnarvonshire and Clause 101 of the Scheme for Merionethshire.

MR. BARTLEY: Is it not somewhat difficult to say that a portion of the Church of England Liturgy and Collects are not part of denominational teaching? Surely, inasmuch as they form part—  
[Cries of "Order!"]—of a religious



service, are they not fairly—[*Renewed Cries of "Order!"*]

\*MR. SPEAKER : Order, order ! The hon. Gentleman is arguing now that they are part of denominational teaching.

#### BALLYCOTTON PIER.

CAPTAIN DONELAN (Cork, E.) : I beg to ask the Secretary to the Treasury whether he is aware that the large fissures which opened some time since in the sides of the Breakwater lately built at Ballycotton, County Cork, are becoming gradually widened by the action of the sea ; whether he is aware that the Grand Jury of the County Cork continue to decline the responsibility of taking over charge of this pier, owing to its imperfect and defective construction ; and whether some arrangement could be made in order to save the outlay upon this costly work from being absolutely wasted ?

SIR J. T. HIBBERT : I am informed that the statement in the first paragraph is groundless, there having been no change since July, 1892, and only one crack having opened half-an-inch in a period of five years before that date. The work is, I understand, sound, and is already legally vested in the Grand Jury, who have no power to repudiate charge of it. No steps such as are hinted at in the last paragraph are called for.

CAPTAIN DONELAN : Will the pier be placed in proper repair before it is handed over ?

SIR J. T. HIBBERT : I must ask for notice of that question.

#### SERIOUS FIRE AT LIMERICK.

MR. O'KEEFFE (Limerick) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the serious fire in the City of Limerick on Saturday, 13th August instant, at which damages to the extent of over £20,000 are stated to have occurred ; whether it has been reported that 2,000 barrels of petroleum oil were stored on the premises forming part of the burnt concerns ; and if, considering the danger to life and property, he will direct rigid enforcement of the law in the preventing of the storage in large quantities of petroleum or other inflammable material in valuable and thickly-inhabited districts of Irish cities and towns ?

MR. J. MORLEY : My attention has been drawn to a report of this fire and to the fact that a large quantity of petroleum oil was stored on premises adjoining those burnt down, though, fortunately, the fire did not reach the oil. I am informed that the oil was not of the description to which the Petroleum Acts of 1871 and 1879 apply, and that it was not, therefore, subject to statutory control. In the cases of other descriptions of petroleum of such strength as to bring it within the scope of the Acts of Parliament on the subject, the Local Authorities are armed with full powers in regard to its detention and storage, as well as the enforcement of the statutory penalties, and there is no reason to think that the provisions of the law in this respect are not carried out.

#### IRISH PRESBYTERIANS AND HOME RULE.

MR. DANE : I beg to ask the First Lord of the Treasury if he is at liberty to publish the address recently received by him from a number of Presbyterians in Ireland ; and, if so, will he do so ?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : All I have to say is that I am at liberty to make the Memorial public, in any convenient form, if the memorialists desire me to do so. But the memorialists did not ask me to make their names public.

MR. RENTOUL (Down, E.) : I beg to ask the First Lord of the Treasury whether he is aware that the three Presbyterian ministers who signed the letter to him enclosing the address purporting to be from Presbyterians are not themselves in favour of Home Rule ; and that the Rev. Mr. Armour, whose name heads the list of three, is the author of the most violent manifesto ever published against Home Rule ; and whether Professor Dougherty—even when a Liberal Parliamentary candidate—failed to express himself openly and clearly in favour of Home Rule ?

MR. W. E. GLADSTONE was understood to say, in reply, that if Professor Dougherty had been earlier in the field he would have been elected.

MR. W. JOHNSTON (Belfast, S.): Will the right hon. Gentleman recommend him to try again?

[No answer was given.]

#### THE WELSH COAL STRIKE.

MR. KEIR HARDIE (West Ham, S.): I beg to ask the Secretary of State for the Home Department, to whom I have given private notice of the question, whether the mine-owners of South Wales communicated with the Home Office on Friday last, requesting that troops should be sent to the strike districts; whether, in response to this request, 1,100 soldiers were sent; whether any disturbance has occurred in South Wales which the police have been unable to put down; and, if not, what was the justification for sending the soldiers?

MR. ASQUITH: The hon. Member has altered the form of his question since he gave me notice of it, but I will answer it. It is not the fact that the mine-owners of South Wales telegraphed for 3,000 soldiers; they did ask by telegram for the instant presence in the two Counties of Glamorganshire and Monmouthshire of a larger military force of horse and foot than was then in the district. In reply, applicants were informed that it was the duty of the Local Authorities and police to take all proper steps for the preservation of the peace, including, in case of necessity, application to the Military Authorities for such military assistance as might be required; and by a further telegram they were expressly informed that applications for military aid in case of riot could only be received from the regular authorities—namely, the Chief Constable or Magistrates—and should be addressed to the General Officer Commanding Western District, Devonport. Copies of the telegrams from applicants were forwarded to Chief Constables for their information, and to the War Office with a request that if troops were called for by the proper authority they might be readily available. So far as I am aware, no troops have been sent on the application of anyone except the Local Authorities. The reason for sending the troops—the total number of which does not, so far as I am aware, exceed about 1,200—was that, in the opinion of the Magistrates, from which I saw no reason to dissent, the available police force on the spot was insufficient to protect

persons and property and to prevent the outbreak of disorder. The troops have been and will be used for no other purpose, and they will be withdrawn as soon as the necessity for their presence ceases.

\*MR. KEIR HARDIE: Can the right hon. Gentleman the Home Secretary state how many persons occupying the position of Magistrates are mine-owners or persons interested in the mines?

MR. ASQUITH: I have no information on the subject.

#### THE SECOND CHAMBER OF THE IRISH LEGISLATURE.

MR. SAUNDERS (Newington, Walworth): I beg to ask whether the Government intend to withdraw the property qualification proposed in Clause 6 of the Home Rule Bill for Irish electors to the Second Chamber of the Irish Legislature?

MR. W. E. GLADSTONE: Since the time when the Government last declared their opinion with respect to this provision, we have had no opportunity of obtaining further information or of hearing further argument; and, under the circumstances, as the question stands near the point at which we have now arrived on the Report of the Government of Ireland Bill, I hardly think that this is the moment at which I ought to enter into it. I think the duty of the Government is to wait, in the hope of hearing what further contributions the House may have to make for the settlement of the question, if any, when we arrive at that point in the Amendments on the Report.

#### SUSPENSION OF THE TWELVE O'CLOCK RULE.

MR. A. J. BALFOUR (Manchester, E.): With regard to the Notice on the Paper for the suspension of the Twelve o'Clock Rule, in respect of which no public notice was given on Friday, I should like to ask the right hon. Gentleman the Prime Minister whether he put it down upon the Paper for the purpose of carrying out the ordinary object of such a Motion—namely, to prevent the inconvenience which might arise from the sudden interruption of the Debate at 12 o'clock? I shall myself not divide against the Motion if I receive a satisfactory answer from the right hon. Gentleman. I think that there will be

no disposition to prolong the Debate beyond this evening.

**MR. W. E. GLADSTONE:** At the time when I gave the Notice of my Motion, undoubtedly it never occurred to me that it was likely to be the subject of any prolonged Debate, even to the extent of a single evening. When, however, my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) gave Notice of his Amendment in the form in which I heard it, it occurred to me that it was a remarkable Amendment, and it was listening to it and to the terms in which it was couched that induced me to think that the Debate might be somewhat prolonged upon that Amendment, and that, therefore, it might be prudent to move the suspension of the Twelve o'Clock Rule. That was the way in which the matter arose. I had no reason to suppose that this was likely to be one of those very prolonged Debates which have made previous Sittings of the House of Commons famous in other times, and I sincerely join in the hope, which I think was conveyed in the language of the right hon. Gentleman opposite, that this Debate will be closed to-night.

#### VITU.

**SIR C. W. DILKE:** May I ask the Under Secretary of State for Foreign Affairs if he has any information with regard to the continued fighting in Vitu, and the circumstances under which it is being carried on?

\***SIR E. GREY:** I did not know before I came into the House that the question was going to be asked, and, therefore, I cannot give any details. There has been one telegram to the effect that a further engagement has taken place with a native chief, it having been provoked by him. It stated, further, that Mr. Rodd hoped to leave Vitu for Zanzibar on the 22nd. The casualties, apparently, were few, and I think, as Mr. Rodd expects to leave Vitu so soon, the operations must have been effective.

#### MOTIONS.

##### SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

#### RESOLUTION.

**MR. W. E. GLADSTONE:** I beg to move the Motion that stands in my name.

Motion made, and Question proposed,

"That the Proceedings on the Motion, 'Business of the House (Procedure on Report of the Government of Ireland Bill),' if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."—(*Mr. W. E. Gladstone.*)

Question put, and agreed to.

##### BUSINESS OF THE HOUSE (PROCEDURE ON REPORT OF THE GOVERNMENT OF IRELAND BILL.)

#### RESOLUTION.

**MR. W. E. GLADSTONE** moved the following Resolution:—

"That, at Eleven o'clock p.m. on Friday the 25th day of August, if the proceedings on the Consideration of the Report of the Government of Ireland Bill be not previously concluded, the Speaker shall put forthwith the Question, or Questions, on any Amendment, or Motion, already proposed from the Chair. He shall next proceed to put forthwith the Question on any Government Amendments of which notice has been given, after which he shall put forthwith the Question on the Motion appointing a day for the Third Reading of the Bill. Until the Report is disposed of, no Motion of Adjournment under Standing Order 17 shall be received, nor any dilatory Motion on the Bill unless moved by one of the Members in charge of the Bill, and the Question on any such Motion shall be put forthwith. Proceedings under this Order shall not be interrupted under the provisions of any Standing Order relating to the Sittings of the House."

The right hon. Gentleman said: In bringing forward the Motion of which I have given Notice, I certainly shall make no such contribution to the coming Debate as is likely to lead us into difficulty, for it appears to me that the Resolution which I now move will be recognised, even by those who oppose it, as almost a necessary sequel to the Resolution moved by me on a former occasion, and then made the subject of large discussion. All the general considerations bearing upon a Resolution of that kind were then so sufficiently debated that it does not rest with me, I think—indeed, it is not within my power—to add anything of an original or novel character to the Debate which then took place. The only change is this: that at the time when the Resolution was moved we had spent 44 days on the various stages of the Bill, and that now we have spent 74 days—to which my Resolution proposes to add five more, bringing the number up to 79 days, and that without any reference to the Debate on the

Third Reading. That is not very far from double the amount of time that has ever been occupied in the discussion of any of the most important Constitutional measures that have ever passed through this House. I do not wish to re-argue the case; far less do I wish to urge a single word that could possibly be interpreted into censure upon those gentlemen who sit opposite. They have taken undoubtedly a very unusual course, and that, I think, no one among them will be prepared to deny; but their allegation is that they have taken it in consequence of circumstances and in consequence of being called upon to act upon motives that are likewise altogether unusual. Thereby a very great issue—not only a great Parliamentary issue, but a great historical issue—is raised between us and gentlemen opposite. I do not intend to enter upon any discussion of it at this time. All I wish to do now is to say that the Motion I make is a Motion absolutely required by the iron chain of consequences after what has taken place. If the Motion which I formerly made for the application of the Closure in Committee on the Bill was justified by the circumstances in which we then stood with 44 days of the Debate behind us, I think that in the latter part of the month of August, and with 74 days of debate behind us, it is still more obviously called for and exacted from us by a sense of our public duty. We believe that a vast question is undoubtedly raised as to the provisions of the Home Rule Bill, but outside those provisions there is a question still larger which underlies this and every subject coming before Parliament—namely, the question of whether a minority, even though a large and powerful minority, can legitimately, by the augmentation of the bulk of the Bill and the bulk of Amendments, create discussion apart from the simple discussion of the merits of the case—though, no doubt, gentlemen opposite think that those 74 days have been spent in discussion on the merits. [*Opposition cheers.*] That is a very thin cheer—if it were an expression of a general sentiment it would have been more emphatic. Our view, however, is that a large portion of the discussion has been unnecessary, and we notice with surprise that it is an allegation made by the Opposition that it has not been in their power to obtain any discussion on

*Mr. W. E. Gladstone*

the greater part of the clauses of the Bill. When I look back over those 74 days—I will not say anything about the 16 days before we went into Committee, because I am under the impression that the Debates on those 16 days were not very unequally divided—but if I take the 74 days, minus the 16, that leaves 58 days for Committee and Report. I do not hesitate to say that out of those 58 days more than 40 have been expended by the speeches of the opponents of the Bill. Therefore, it appears to me that in the course of 40 days they have not been able so to adjust their argumentation and eloquence as to discuss a large portion of the most important provisions of the Bill. That is certainly a part of our case. It may be said very truly that this is a case of which the nation at large will be the only final judge. [*Opposition cheers.*] That cheer from gentlemen opposite expresses their confidence as to that judgment. Well, Sir, we are very strong also in our belief as to that judgment; and, moreover, I think we have this confidence: that the favourable judgment which the nation, as a whole, did form and did express upon the most solemn of all Constitutional engagements will be much enhanced by what has since taken place, and especially by what has taken place respecting the manner in which, under the influence of our conscientious convictions, we have felt ourselves compelled to treat this Bill. I have been faithful to my promise not to trespass largely on the attention of the House, and I hope also that I have not said a word which can be offensive to anyone. I have made the largest admissions to which hon. Gentlemen opposite are entitled. We must contend for the broad proposition, on which we take our stand, and we must maintain the legitimacy and necessity of the Motion that I now make as absolutely essential for securing in any real and Constitutional shape the liberty and the efficacy of Parliamentary discussion.

Motion made, and Question proposed,

“That, at Eleven o'clock p.m. on Friday the 25th day of August, if the proceedings on the Consideration of the Report of the Government of Ireland Bill be not previously concluded, the Speaker shall put forthwith the Question, or Questions, on any Amendment, or Motion, already proposed from the Chair. He shall next proceed to put forthwith the Question on any Government Amendments of which notice



has been given, after which he shall put forth with the Question on the Motion appointing a day for the Third Reading of the Bill. Until the Report is disposed of, no Motion of Adjournment under Standing Order 17 shall be received, nor any dilatory Motion on the Bill unless moved by one of the Members in charge of the Bill, and the Question on any such Motion shall be put forthwith. Proceedings under this Order shall not be interrupted under the provisions of any Standing Order relating to the Sittings of the House."—(*Mr. W. E. Gladstone.*)

**MR. J. CHAMBERLAIN** (Birmingham, W.) moved the following Amendment:—

"That the proposal of the Government to curtail Debate on the Government of Ireland Bill is calculated to degrade the House of Commons to the position of a voting machine, and to deprive the British majority in this House of its Constitutional right to discuss a policy by which British interests will be seriously and injuriously affected; and that this House, recognising no necessity for the course proposed by the Government, and believing that it is dictated by motives of Party expediency, declines to accept a Resolution by which the Government arbitrarily claim to limit Debate on a measure of the highest National importance, the greater part of which has already been forced through the stage of Committee without any discussion."

He said: Mr. Speaker, in answering a question just now, my right hon. Friend referred to the fact that the Amendment which is now upon the Paper in my name differs somewhat from that of which I gave notice on Friday last. I owe it to him to state that that difference is not owing to any change of opinion on my part, but is due to a suggestion I received that as the Amendment was originally drawn it went beyond the subject-matter of the original Resolution, and might, therefore, be held to be out of Order. Under those circumstances, I of course felt it undesirable to submit it in that shape to the House. I am afraid I cannot promise to be as brief as my right hon. Friend, who has treated the Motion—which I venture to say is one of the most important ever made in this House, both in regard to its immediate effect and the precedent it sets—as though it were a mere subject of formal discussion to be disposed of in a few minutes. Yet I will promise to say what I have to say in as short a time as I possibly can. In the first place, I should like to clear the ground by making a statement which I hope will meet with no opposition in any quarter. In dealing with any proposal to curtail Debate in this House I

imagine that we shall all agree that such a proposal must be considered and judged upon its merits, and without reference to any previous proposal. No one will say, not even hon. Gentlemen opposite, that closure or curtailment of Debate is justifiable in every case. I shall not say that closure is not justifiable in some cases, and, consequently, it appears to me that any one who makes a Resolution of this kind has to show that the particular circumstances with which he has to deal justify the particular measure which he proposes. I think that that will be generally admitted, and it follows from that that it will be very difficult to deal with the matter by reference to precedents, because it is almost impossible to find any precedent which shall exactly agree with the present situation. My right hon. Friend on a previous occasion referred to precedents. He referred to the precedent of 1887. I will refer both to the precedents of 1881 and 1887, and I say in regard to both of them that they are absolutely and *in toto* different from the present situation. There is absolutely no comparison between them. They differ essentially in the importance and magnitude of the measure which is under consideration, and discussion upon which is to be arbitrarily cut short. They differ in the character of the positions, they differ in the number of the minority, and they differ—and that is not the least important difference—in the state and drift of public opinion. I am afraid, however, in making that statement I cannot count on agreement from my right hon. Friend, because on the previous occasion he spoke of the precedent of 1887 as if it were practically and substantially on all fours with the present case. That was, I think, the view on which he founded himself in claiming the action of the Conservative Government in 1887 as justifying the action of the Liberal Government in 1893. Under these circumstances there is an issue between us, as to which I will only say that I do not think we can fairly be accused of inconsistency in supporting the Closure in 1887 and opposing it now, so long as we believe that the circumstances are entirely different. On the other hand, 1887 is a precedent which ought to guide us as to the course which should be taken by my right hon. Friend. He says that the circumstances are

practically and substantially the same. Under the circumstances, the view which he took in 1887 ought to be the view which he takes now.

MR. W. E. GLADSTONE: I never said that the circumstances were the same.

MR. J. CHAMBERLAIN: Were similar. My right hon. Friend quoted the case of 1887 as substantially justifying him in taking it as a precedent and in governing his own action by it. Now, before I part with 1887, let me say a word about the precedent of 1881, because that also was a suggestive case and well worthy the attention of the House. That was the first occasion on which the Closure was introduced into the House of Commons, and I am of opinion now, as then, that the circumstances called for such a proposal. But in speaking of that proposal, my right hon. Friend, no longer ago than in 1890, said—

“We proposed a plan of Closure of Debate which was never intended—and we made it known it was never intended—to be used by the majority against the minority in the ordinary sense, but was only intended to enable the House, when it was possessed, irrespective of Party, with a concurrent feeling to put a stop to the occasional obstinacy, or, I might almost say, impertinence—at any rate, importunity—that is a better word—of some particular member not gifted with as much wisdom as zeal.”

That was the interpretation which my right hon. Friend gave of his own intention, and that statement is justified by a reference to the Debate and his speech in proposing that Resolution. He said that he was asking the minority of the House to

“Place some reliance upon the spirit of equity and the sense of honour of the majority.”

My right hon. Friend was then of opinion that no majority was justified in dealing with a minority in the ordinary sense of the word, and that the sense of honour and equity of the majority would itself be sufficient to restrain them. Sir, I am afraid that the situation has changed since then. We can no longer count on the sense of equity and the sense of honour of the majority, and we have to trust, and we do trust, to that dominant inflow of influences from every part of the country, which, sooner or later, will bring home, even to this majority, a sense of the abuse which they are perpetrating on the forms of the House. That was the opinion of my

*Mr. J. Chamberlain*

right hon. Friend in 1881. In 1887 the late Government introduced a much more drastic form of Closure, for which they thought they had good warrant, and my right hon. Friend, although I believe he did not vote against it, expressed his serious objections to it. Speaking of it in 1890—only three years ago—my right hon. Friend said—

“A system of coercion has been imported, not only in Ireland, but into the House of Commons, and an endeavour has been made, with a large amount of success, to substitute the system of coercion for the ancient spirit which left in the House of Commons an atmosphere free and pure, worthy of Britons to breathe, consecrated by the recollections of 600 years, and, if we could have had our way, to be handed down as free and pure as we received it to those who are to follow us in life and in political action.”

Now you have your way, why do not you hand down the spirit of freedom to those who are to follow you in life and in political action? Sir, my right hon. Friend may have been perfectly justified in his condemnation of the Conservative Government. At any rate, he has put on record the view he took of their proposal; he said it was a proposal for coercion. He said it destroyed the pure spirit of freedom in the House of Commons, and yet he now comes down to this House and proposes a still more drastic Resolution than that which he himself condemned. In 1881, as I say, he defended a Closure Motion, because he said it was irrespective of Party, and not to be employed by the majority against the minority, as that word is generally understood. In 1887 he repudiated a Closure Motion as being coercion, as destroying the atmosphere of freedom which ought to prevail in the House of Commons. I say the situation is practically the same now. What the Prime Minister thought in 1890 ought not to be a cause for Closure, has not become a cause for Closure three years afterwards in 1893, and I must say it is a strange form of political morality which first condemns in the strongest language an offence and then makes that offence itself an excuse for committing a greater. Now, let us look at the circumstances under which this Motion is being made. My right hon. Friend in his few remarks said that the House would see that this was a necessary sequel to his previous guillotine Resolution, and that he was bound by an

iron chain of consequence. Sir, I entirely agree with that. The present Motion does not, in the slightest degree, surprise us. Tyranny grows by what it feeds upon. My right hon. Friend is, under that iron chain of circumstances, quite willing to go further, and we shall very shortly see him rising to closure Supply, which has never been closed in this House before, and we shall see him closing the Bills which he brings forward in the autumn. We shall have legislation by gag substituted for legislation by discussion. The Report stage of this Bill—the greatest constitutional change which has ever been proposed in the House of Commons—has occupied 10 days. Of that number seven days were occupied with new clauses, most of which dealt with entirely new matter, clauses which were so important and so valuable that the Government have accepted no fewer than six of them. The three remaining days have been occupied by the discussion on the Preamble and on the 4th clause of the Bill. The discussion on the 4th clause is not quite finished, but had there been no Closure it would not have lasted much longer. My right hon. Friend has professed in the course of our Debates that the discussion upon the Report stage has been a mere repetition of the discussion upon the Committee stage. That is not the case; the facts do not justify any such allegation. We have taken only four days over the first four clauses, the most important clauses of the Bill—those which are generally called the “operative” clauses—and over the Preamble. In Committee we took 27 days. I will come to that directly, but for the moment I merely put these two figures in contrast to show that a Debate which took four days cannot be a repetition of a Debate which took 27 days. On the contrary, the fact distinctly proves that the Opposition have followed the policy which they publicly avowed of reserving their efforts for new matter which had not been discussed, and only reviewed over again what had previously been discussed, but which had either been insufficiently explained, or as to which there was some hope that even at the last moment the Government might not be indisposed to make some concession. Twenty-seven days were spent upon the first four clauses of the

Bill. [*Cheers.*] The right hon. Gentleman ironically cheers the efforts we have given to a measure which has practically occupied the whole of his attention during the last seven years of his life. He complains that we pay too much attention to this measure—that we treat it too seriously; but it is not open to him to say that there has been frivolous or unnecessary discussion. Again, the facts are against him; and what are they? What was the nature of this discussion that occupied so long a period? We discussed in that time 331 lines out of 1,495 lines in the Bill—less than one-fourth. Of these 331 lines 176 remain of the original text, and 155 have been amended; and if you add the subsequent Amendments by the Government, which have been added during the Report stage, and add the new clauses which have been accepted by the Government, I am putting it very moderately indeed when I say that more than half of that portion of the Bill which has been discussed is new matter introduced in Committee in consequence of the discussion which my right hon. Friend deprecates with so much warmth. I say that every one of these Amendments must have been carried with the consent of the Government and with their goodwill. We have not been able to persuade any of their followers ever to vote with us when there was the slightest chance of their defeat, even upon a trivial Amendment. Every Amendment, therefore, is an Amendment to which the Government are parties, and it is not open to them to say that these Amendments are frivolous, or that they are Amendments which were intended to destroy the Bill—although if they had been Amendments to destroy the Bill, I see no ground whatever for the argument that we were not entitled, opposed as we are to the principle of this Bill, to put down Amendments which might have that effect. Well, Sir, the figures which I have quoted show clearly that there never was a measure whose authors have been convicted of so many blunders and so many omissions. Who is there to say that what has happened in regard to the fourth of the Bill which has been discussed would not happen if you gave us the opportunity of discussing the remaining three-fourths—that by some

extraordinary skill we have been able to take up only those parts of the Bill which require amendment, and that the parts which we have left undiscussed are all perfect in their original form? One-fourth of this Bill has been amended, as I have said, to the extent of one-half its total capacity. The remaining three-fourths of the Bill will be sent up to another place unhouseled and unanealed, with all its imperfections on its head. I think I have shown that the discussion which has taken place has not been without profit—profit to the Bill, profit to the Government, who have accepted those Amendments; and I say that that is a strong argument for securing that the remainder of the measure shall be submitted to the same ordeal. And yet it is under these circumstances that the Government bring forward now a second guillotining Resolution which surpasses in stringency even the one to which they last invited our attention. We are told that it is not usual on Report stage to occupy a very long portion of the time of the House. That is perfectly true; but to what great Bill can you point in the history of this Parliament—I will not say of similar importance, for there is no such Bill—but to what great Bill of magnitude and importance only one-fourth of which has been discussed during Committee stage? There was good reason, even if the Government felt themselves bound to closure the Committee stage of the Bill at the time they did, why they should have been very tender and very patient before they closed the Report stage, leaving so large a portion of their measure entirely without discussion. What is the reason which the Government vouchsafes to us for introducing into the House of Commons coercion which they themselves condemned—for committing a crime which they themselves denounced? The Government tell us, and they appeal to the House to say, that there was no alternative open to them; that absolute necessity, and absolute necessity alone, has brought them to this condition. The great Lord Chatham said that “necessity was the argument of tyrants and the creed of slaves.” We can see that this is the argument of tyrants. Whether it will be the creed of slaves we shall know after the Division. What is this necessity, this dire necessity, to which the Go-

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vernment appeal, and in consequence of which they commit an act which they themselves loathe, and which they know will be followed by consequences fatal to the dignity and credit of the House of Commons? The necessity has been stated by my right hon. Friend; it is that this Bill must be passed during the year of the Parliamentary Session. I would say, in passing, that I do not admit even that to be a necessity. When you are dealing with a Bill of this transcendent importance, a Bill which raises vast issues, which affects enormously the honour of Great Britain, which endangers, as we think—which, at all events, touches—the best interests of the United Kingdom, which may menace the existence of the Empire—[*Laughter*—I do not imagine that hon. Gentlemen opposite (the Irish Members) care about the Empire, but that there is risk has been admitted again and again by the Government in our Debates; in dealing with a Bill of this kind, that will be irrevocable if it be passed into law, a Bill which you cannot repeal except at the risk of civil war, I should have thought that time, and ample time, and all the time which an Opposition representing one of the great Parties in the State could demand, would have been willingly conceded by the Government in charge of the Bill, even if it should have been necessary in these circumstances to transfer the consideration of some portion of the measure to a second Session. But I do not believe—and I think I have some right to speak in this matter—that it would have been necessary—indeed, I am perfectly convinced, had the Government proceeded as, I believe, any other Government would have proceeded, in dealing with this matter—had they not irritated the House and made the Opposition indignant by introducing this drastic Closure, by shortening Debate upon such a measure—had they not used their temporary power to ride roughshod over the minority, I believe the discussion upon the Bill, which we ourselves should have admitted to be a full and fair discussion, might have been completed within the year. I have said before, and I say again, there never was any idea of killing this Bill by time. [*Laughter, and shouts of “Oh!”*] I wonder what my right hon. Friend (Mr. W. E. Gladstone), who has had this long experience



of courtesies of the House of Commons, thinks of that interruption. It is not usual, it is not courteous, when a Member in his place states, as I state on my honour, that there never was any idea on the part of any responsible Member of the Opposition of killing this Bill by time—it is not usual, at all events, to disbelieve him. Why should we kill the Bill by time? We had hoped at one time, if we had not been silenced, to kill the Bill by argument. Again and again we have had the best of the argument—and the worst of the votes. We had hoped at one time to defeat the Bill by argument, and, if we could not do that, we wanted nothing more than to be able to expose the Bill, its dangers, its risks, and its weaknesses to the people, who have hitherto been kept in the dark, who know nothing of its principles and provisions, and when we had done that there would have been nothing more to do than to come to a straight issue with you. I say, then, there was no necessity for closing this Bill? You might have had your Bill. Possibly you would have had to take your Autumn Session for its consideration. But you would have had it before Christmas; and we should not then have been able to say that the Bill goes to the House of Lords three-fourths of it absolutely without discussion. No, Sir; that is not the true necessity. The real necessity lies in this—that the Government dare not stand on the measure which they have submitted. We have had reference made to the Reform Bill of 1831. It is an interesting history to compare with the history of this Bill. The Bill of 1831 was a simple measure; it dealt with one question only; it had been discussed and canvassed in every town, in every village, in every hamlet throughout the land; it was backed by the enthusiasm of a great people; and yet what would have happened if the Government of that day—if Lord Grey—had tried to pass in a single Session, not only the Reform Bill, but a Bill for local government in England, and Bills for the emancipation of slaves, for the removal of Jewish disabilities, and half-a-dozen other objects which were at that time in the programme of the Liberal Government? No, Sir; Lord Grey, when the Bill was

defeated in the House of Commons, dissolved Parliament.

MR. STOREY (Sunderland): No, no!

MR. J. CHAMBERLAIN: Really, Sir, I shall have to teach my hon. Friend below me English history. When the Bill was defeated in the House of Commons Lord Grey dissolved, and he came back with a great majority; he brought in his Bill again; he devoted the whole Session to that Bill, and to no other measure of the slightest importance. It was under these circumstances, under that pressure from the country with that declared mandate, that the Bill went up to the House of Lords and was finally passed. What is the position of this Government? Have they made their great measure the one measure of a Session? No, Sir, for a good reason. Unlike Lord Grey, they know there is no enthusiasm behind it; they know there is no one in the country, or in this House, hardly anyone except the Prime Minister and, perhaps, the Chief Secretary, who believes in this Bill. I say if it ever had a chance—which I do not believe it ever had—that chance has been destroyed by the alteration of the 9th clause; it has been destroyed by the financial arrangements, which propose to mulct Great Britain in order to secure a permanent surplus to the Irish Government. For the second time the right hon. Gentleman at the head of the Government has used a majority which he obtained under other pretexts to attempt to carry a Home Rule Bill, and for the second time the publication of his proposals has destroyed his majority and discredited him in the country. If they were to go to the country to-day, they would meet with a more overwhelming defeat than they did in 1886; and it is because they know this, because their agents tell them the same thing—I should like to see the confidential reports from Hereford and from 100 boroughs and counties in the United Kingdom—it is because they know this that they want this Bill, this *damnosa hereditas*, hustled out of the way in order that they may patch up a damaged reputation with the Parish Councils and Local Veto Bills. We are to have an Autumn Session, not in order to carry anything—I do not believe the Government themselves are sanguine enough to believe

they will get any of their measures through—but they must make a great show of doing something, or else the heterogeneous sections of their majority will soon fall to pieces. They know that every one of these great Bills which they have proposed in the same Session as the Home Rule Bill requires, and deserves, and must have, careful and elaborate criticism and examination. A short Session is not enough for any one of them, unless, indeed, encouraged by the extraordinary success which waits upon their present efforts, they should once more resort to the Closure—that they should declare that during the dictatorship of the Prime Minister there is to be no Debate in the House of Commons. Then, Sir, the Prime Minister will be able to say, in the words of an historical character to whom at one time I myself was compared—“My mouth shall be the Parliament of England.” I suppose their object will be accomplished. If they can make a great show of Bills, that is enough for their English and Scotch supporters. It is only the Irish who demand their pound of flesh. The rest of the Party are satisfied with more moderate concessions. The Government know this, and they treat them accordingly. They know that the Irish will stand no nonsense, and that the rest of their supporters will stand anything. The Prime Minister says—and nobody will dispute the proposition in its simple form—that the majority must rule. He claims for this majority a mandate from the country which he was bound to fulfil. I propose to examine this pretended mandate and this alleged majority. I deny that the Government have any mandate at all, and I say that the majority has been so much discredited that it has no moral weight whatsoever. You pretend that the Government has a mandate from the country to gag Debate in this House. When did you tell the country you intended to carry this vast change without hearing the Representatives of Great Britain on the subject? Did you tell the country you intended to destroy Parliamentary Institutions as well as the Empire? I do not remember it in any of the addresses I had the pleasure of reading. You pretend that you have a mandate for this Home Rule Bill.

*Mr. J. Chamberlain*

MR. CHEETHAM (Oldham): Yes; so we have.

MR. J. CHAMBERLAIN: The hon. Member for Oldham answers in the affirmative. Will he answer a second question? For which of these Bills did you have a mandate? Perhaps for both of them, although they are absolutely inconsistent. You say you have a mandate for this Bill. Did you have a mandate, not only to give a Parliament to Ireland, but to enable that Parliament to control your Parliament? Why, we had the pledge and promise of your Leader—it was upon that the Election was taken: it was upon that that the country gave you whatever mandate you can boast; and now, forsooth, we are told that that mandate extends to allowing the Irish Members to be summoned here at times when they are least wanted, and to come like public executioners to guillotine the political opponents of the Government. You had a mandate! You may have had a mandate for the creation of a subordinate Legislature in Ireland, a Legislature which was compared in your utterances and your speeches to Home Rule in the villages and in London; but you had no mandate for a Parliament over which the supremacy of this Parliament will be an empty sham, and a veto which will be, as the Chief Secretary himself has admitted, a mere Court sword. Where is your mandate to tax Great Britain in order to relieve the pockets of the Irish taxpayers? These are questions upon which you want a mandate, and we beg of you to apply for it. You have confidence in the Party which returns you to power, although you have broken the pledges which you gave to them, although you have produced and are forcing through the House of Commons a Bill totally different from anything you promised. If you have that confidence, and if you will not allow us to discuss your measure, at least you might yield to an appeal, and go again to the country whom you have deceived and trampled upon. Now, what is the majority by which the Government is supported? On the last occasion it was a majority of 29 in this House, and I think it was not altogether a light-hearted majority. I am quite sure many of those who voted voted with the greatest possible reluctance. [*Cries of “No!”*] Did they vote with joy for the destruc-

tion of the liberties of the Parliament of which they are Members? No, I do not believe it; I think better of them. But I ask you, is this the majority which you count upon to silence a majority in Great Britain and the educated minority in Ireland? Why, Sir; it is a majority which is made up, and more than made up, of those Irish votes which you purchased by a surrender of the best interests of Great Britain. It is a majority largely returned by priests and illiterates and moonlighters. It is a majority convicted by a judicial tribunal of conspiracy to destroy the United Kingdom. It is a majority which at first forced their policy upon the Government, and which the Government are now employing to force their policy on the House of Commons. And yet, Sir, it was in regard to those gentlemen that the Prime Minister said that it would be unsafe and unsatisfactory and a danger to the Empire to deal with Home Rule unless he could have a majority independent of their votes. In any true sense of the word, I do not believe there is a majority on any single item of the Government's programme. This Government is the creation of a system which is carried further than anything similar has ever been carried before in political log-rolling. Here you have the Welshmen voting for Home Rule because they want Disestablishment for Wales. You have the teetotalers voting for Disestablishment, it may be, because they want the local veto. You have the independent Labour Party voting for everything because they want the eight hours day. And I do not believe that any of these sections cares very much for the proposals of any one of the others, and I am quite sure that there are none of them that care at all for Home Rule. And so I say that your majority is not a homogeneous majority, and I believe, such as it is, it will be swept entirely away when once more an appeal is made to those who returned them. Well, now, Sir, I will just summarise what I have put before the House. Here is a Bill which is admitted to be vital to the interests of the United Kingdom, which contains proposals of the greatest importance, most of which are absolutely new to the country, and were never discussed by the country or in the country before the Bill was brought in. Under these circumstances, I should have said

that never was there a case where there was a greater necessity for close criticism and careful examination. That necessity has already been proved even by the partial Debates which in your generosity you have allowed us. The Government have altered some of their most essential proposals in important particulars and at short notice. The Bill of which this can be said is also the great main issue between the two Parties in the House. And yet the Government are unwilling to give a Session to its consideration; and, knowing it is unpopular, finding that discussion is making it more unpopular still, they trample on the liberties of the House of Commons, and they gag the opponents they are unable to answer. The result is that three-fourths of the Bill will go up to the House of Lords exactly as it left the hands of its author, without consideration either by friend or by foe. Questions of the deepest import to Great Britain will not even be voted upon, for by this last form of Closure, for the first time in the history of these proceedings, the Amendments are not even to be put from the Chair; they are not even to be considered or decided by a vote of this House, and this unparalleled, this unprecedented act of tyranny is being carried out because time is wanting for full discussion, not of the Home Rule Bill, but of those other measures which the Government is advised they must do something to promote in order to conceal and confuse the issue before the country. In the course of his long career my right hon. Friend has often exercised an influence which has been fatal to some of those great institutions which from time to time he has taken under his special protection; this night will consummate and crown his work. To destroy an Empire, to punish England for not having given to him a majority, to break up the Party to which, after all, even his fame and reputation owe a great deal—these are not enough for the First Lord of the Treasury; he must also stifle discussion and humiliate the House of Commons, which has always honoured him as one of its greatest figures. We appeal against the Prime Minister to what is greater and more powerful than he is. We appeal to the country against this political dictatorship, against the policy

by which the interests of Great Britain have been surrendered and betrayed, against the tactics by which the House of Commons has been insulted and degraded.

**Amendment proposed,**

To leave out from the word "That," to the end of the Question, in order to add the words "the proposal of the Government to curtail Debate on the Government of Ireland Bill is calculated to degrade the House of Commons to the position of a voting machine, and to deprive the majority in this House of its Constitutional right to discuss a policy by which British interests will be seriously and injuriously affected; and that this House, recognising no necessity for the course proposed by the Government, and believing that it is dictated by motives of Party expediency, declines to accept a Resolution by which the Government arbitrarily claim to limit Debate on a measure of the highest National importance, the greater part of which has already been forced through the stage of Committee without any discussion,"—(*Mr. J. Chamberlain*),

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

\***MR. S. WHITBREAD** (Bedford): Sir, I ask permission upon this occasion, following immediately after the right hon. Gentleman who has just addressed us, to say a few words upon this subject, and I promise one thing, and that is that I will not take advantage of this opportunity to make a Third Reading speech, and I will endeavour not to imitate him in heat of language. I will further endeavour not to imitate him in that exhibition of affection for his former Leader and for the great principle of Home Rule, to which he was a convert long before the Prime Minister, and which he has maintained—ah! how faithfully! ever since. I have never concealed from my friends my reluctance to adopt the Closure until a positive and over-mastering necessity for it has arisen. I do not think Closure is the natural weapon of Liberalism. We must always hope to advance our views by discussion. It may be a weapon good enough for those who desire to let things remain as they are, and for their Liberal allies; but it is not a good weapon for those who desire to make new ideas prevail. Another reason which makes me more chary of setting any example of voting for Closure is that the Liberal Party are unequally matched in this respect. Closure to us at the best

means the passing of a measure through this House; with the Conservative Party it means the inscription of a measure on the Statute Book. We have no allies or a majority in another place upon whom we can depend. Moreover, if Closure comes to be frequently and upon too light grounds resorted to, it is quite certain that the laws we pass would lose their sanction, and would cease to be accepted as hitherto they have been by the people. With that reluctance, however, there is one other consideration that must govern, and it is this—that in the last resort it is necessary—absolutely vital—to insure that the will of the majority shall have its way. If once you break down that, the whole legislative action of Parliament is gone. The right hon. Gentleman has in the most solemn way given his assurance that there never was the least idea amongst Leaders of the Opposition of killing this Bill by time. I am bound to accept that assurance; but will the right hon. Gentleman assure me with the same confidence that there never was any intention to consume the time of the House on this Bill for the purpose of killing other Bills? Our complaint is that, in order to prevent the Government from introducing or carrying anything else, time has been so consumed on this Bill that the Government have been taunted that they will not be able to carry any of their measures for the public benefit in an Autumn Session. We shall see. The right hon. Gentleman said that the precedents in 1887 and before for the use of the Closure do not apply to this case. No; and I imagine that there is no conceivable Bill upon which the Closure could be moved that the same argument against its application could not be used. No two Bills ever have been, or ever will be, on all fours in that respect. But though the precedents are not on all-fours there are other things to be considered. Principles have been laid down by very able exponents of Parliamentary practice, and I think the right hon. Gentleman will find it rather difficult to say that their arguments do not apply in the present case. My right hon. Friend's attitude now is something new. Since I have known the right hon. Gentleman, I have believed that his leaning was to have measures for the benefit of the country fully dis-

*Mr. J. Chamberlain*



cussed outside, and then registered after a short discussion in this House. I have been evidently quite mistaken. I do not know whether it made any difference in the view of the right hon. Gentleman that the headquarters of the Caucus migrated from Birmingham to London. Possibly there is something in the fact that the right hon. Gentleman is now in Opposition and that he was then supporting the Government. The right hon. Gentleman claimed that the whole of the Debates on the Bill have been relevant, and the whole of the Amendments in Order. No doubt they have. If they had not been they would have been stopped by the guardian of Order in the Chair—no thanks to my right hon. Friend for that. But a man may never offend against the Order of Debate; his Amendments may be all strictly relevant; he may never incur the censure of the Chair; and he may, at the same time, be guilty of flat treason against the representative system. My right hon. Friend may hold himself out as the zealous champion of free speech and of liberty of Debate, and the whole time he may be sucking the very lifeblood out of this Assembly. I do not understand what the right hon. Gentleman meant by a British majority. There is no such thing. I only know of one majority. [Mr. J. CHAMBERLAIN: The Irish.] I know of no term such as the British majority. I suppose the right hon. Gentleman means the majority of those returned from England. [Mr. J. CHAMBERLAIN: And Scotland.] Have they rights superior to those of the Members returned from Ireland? If not, there is no use, as far as this House is concerned, in talking of the British majority. Matters in this House will be decided by the votes of those who are entitled to vote. The right hon. Gentleman said that this proposal degraded Parliament. Did it degrade Parliament in 1887? What does degrade Parliament is unseemly conduct, idleness, and neglect of the public welfare. The corruption of Members, as in times past, degrades Parliament. But all these things can be cured as long as there is a vital energy left in this House which is able to ensure the coming to a decision. But can you picture a lower depth of degradation than a House not instructed by debate, but so overlain by the everlasting flow of words that it fails

at last to be able to come to any decision at all? That would be paralysis; that would be the end—the very reason for the existence of this House would be gone. I think it is now time to avert the danger which has threatened the House and to come to its rescue. The right hon. Gentleman says we have no mandate from the country. If at the last Election we had a mandate for anything under the sun it certainly was for Home Rule. [Mr. J. CHAMBERLAIN: Which Home Rule?] The right hon. Gentleman says “Which Home Rule?” He knew very well the main outlines, the main features, of the Bill. [Mr. J. CHAMBERLAIN made a gesture of dissent.] My right hon. Friend dissents from that. Why, he complained of the exclusion of the Irish Members very skilfully in 1886. The right hon. Gentleman himself was the main cause of the change of attitude on that point. He looked in 1886 like a child crying for the moon, but he has got his moon, and he is no more satisfied now than he was then. The only thing that will satisfy the right hon. Gentleman, ardent Home Ruler as he is, will be a Home Rule Bill introduced by himself—one that would not provide for Home Rule. This contest has not been a hole-and-corner affair; it has been watched with the keenest interest by the whole country. It has brought Members in larger numbers and kept them in closer attendance than has happened on any question in my recollection. It has excited feeling more deeply than any question in Parliament of late years, even to such a point that in a moment of madness some have forgotten what was due to the great traditions and honour of this House. The right hon. Gentleman even made it a matter of reproach to the Government that some of the Amendments accepted by them have been made at the suggestion of himself and his friends. The conduct of the Bill on the Ministerial side has been mainly in the hands of half-a-dozen men. [*Opposition cheers.*] Yes; but the supporters of the Bill were not going to assist gentlemen in consuming time for the purpose of preventing the Government from doing anything else. We have seen in one whose services and years might have well excused him this tremendous labour—we have seen such skill, such energy,

such temper displayed in the conduct of the Bill as has compelled the respect of opponents as well as friends, and extorted their admiration. And now do hon. Gentlemen really tell the House that they honestly desire more time for the discussion of this Bill? What a shadow of blank dismay would fall upon those Benches if the Prime Minister got up and said that he had changed his mind and would not move this Resolution! The aspect of the House during the last week has not looked as if there is any overweening desire for more time. Would hon. Members themselves say that they would give more than 80 days to the discussion of any measure? Has the House of Commons at any period ever given such a length of time to the discussion of a Bill, however important? Would any Assembly in the world give half the time to it? The answer to every one of those questions must be "No," and therein lies the justification of Her Majesty's Government. I have no doubt when the question is decided you will go down to the country and proclaim the iniquity of the Government. [Mr. JESSE COLLINGS: Hear, hear!] Oh, yes; my right hon. Friend the Member for the Bordesley Division cheers that. He is never tired of telling us that on leaving this House he will go through the villages. Let him go through the villages. He will go in at one end of the village and go out at the other, and when he has gone the villagers will be asking themselves the same question as now, and that is—"Why did the Government not do this long ago"? I have not the slightest fear as to what the verdict of the country will be. My right hon. Friend, and those who go with him to the country, I know, will tell the truth; but I want them to tell the whole truth. Do not let them say that there are 26 or 30 pages of Amendments that have not been discussed yet, and that a large portion of this Bill has never been discussed at all, without saying that the House of Commons gave nearly twice as much time to the fair discussion of the Bill as has ever been given before; and if my right hon. Friend will tell the whole truth that way, then I think, Sir, we need not trouble ourselves very much to ask for a reply.

*Mr. S. Whitbread*

MR. GOSCHEN (St. George's, Hanover Square): Mr. Speaker, I am sure that we may welcome the intervention of my hon. Friend the Member for Bedford in this Debate. My hon. Friend told us he was not going to make a Third Reading speech; and if I recollect rightly the hon. Member—who is one of the oldest Members of this House—has neither made a First Reading nor a Second Reading speech, and I think he has not guided us in the slightest degree in Committee. And why? Because he did not wish to occupy the time of the House. But to-day, when the Government wish for a kind of Constitutional argument, the hon. Member intervenes for the first time in order to prevent "treason," as he says, to representative institutions. This is the occasion when the hon. Member thinks that he must intervene. Those who know him would have thought that the probability was that he would intervene in order to protest against that which, whatever he may say, we, at all events, consider to be the degradation of the House of Commons. The hon. Member pointed with some triumph to the fact that during August the attendance in this House on this Bill has not been as considerable as it might have been, his inference being that the interest taken in the Bill has diminished. I say, on the other hand, that it is perfectly marvellous that in August there should have been such large Houses during the greater part of the month, and I affirm that such exceptional attendance proves how great an interest is taken in this measure. The hon. Member speaks of the waning interest of the Bill. I will throw out a challenge—he has made several to us. Let the Government devote the Autumn Sitting to the remainder of this measure instead of to Supply, and then the hon. Member will see whether there is any diminution of interest in this Bill. But the hon. Member is prepared to vote for the Closure, which he detests, rather than have an Autumn Sitting for the continuation of our proceedings on this Bill. That is the extent of his objection. He dealt with some of the arguments of my right hon. Friend; but he took good care not to reply to the question why it is necessary to complete this measure now. Why do the Government think it necessary? Because they wish to pass other

measures, or, rather, to show other measures to the constituencies. Just as at the beginning of this controversy they wasted time in moving Bills as to which there was no belief that they could be passed, so towards the end of it we are again to go through the same process. The Government declare that to pass the Home Rule Bill is an iron necessity. But the iron necessity, as my right hon. Friend pointed out, was not to present this Bill alone to the country—this Bill for which the hon. Member for Bedford said they have a mandate. That is an argument with which hon. Gentlemen opposite are unable to deal. Then, will this Bill satisfy the constituencies? If it represents the union of hearts, if it is the crowning glory of the career of my right hon. Friend opposite, if it is to end the controversies of 100 years, is it not a sufficient present to make to the constituencies? Why do the Government think it insufficient? Because they are aware that the constituencies do not value the Bill as much as they value some of the other Bills which the Government wish to pass. It is hypocrisy to say that there is any iron necessity. The Prime Minister and the hon. Member for Bedford have spoken of the number of days that have been devoted to this Bill, and have asked whether any previous Bill has ever occupied anything like the same time. What is the answer? Why, that this is not one Bill, but an assemblage of Bills. I could count, at least, 16 Bills here, every one of which would deserve a month's consideration. The Prime Minister said, on one occasion, that a Bill dealing with the Death Duties would require a whole Session to pass. But upon this Bill, which contains so many different issues, we are not to bestow even a whole Session. The Bill deals with such difficult and complicated subjects as the constitution of a Second Chamber, the relations between the Executives of England and Ireland, the establishment of new Courts, the separation of the Exchequers of England and Ireland, the Land Question, the Irish Civil Service, and the re-constitution of the Constabulary. I do not understand how hon. Members opposite, and such an old Parliamentarian as the hon. Member for Bedford, cannot see that it is impossible to treat a measure of this kind like any other

Bill which has ever been before this Parliament. Do they not see that the interlacing of interests between England and Ireland are so close that the whole machinery must be taken to pieces with the greatest care before you can adjust the interests of the one or the other? The hon. Member for Bedford says that there has been everlasting talking. I say, on the contrary, that, speaking generally, the speeches in Committee have been remarkable for brevity, and that the privilege of speaking more than once has been seldom used. The length of the discussion on this Bill is by no means excessive when we examine the vast number of propositions it contains. Hon. Members opposite have not attempted to point out where there has been that waste of time which they allege. I say that as much time has been spent by the Prime Minister and others in personal attacks upon the right hon. Member for West Birmingham as we have spent on the discussion of some Amendments which have been vital to the interests of the country. Another reason why the discussions have been long is found in the frequent alterations that have been made in the Bill. Thus a great deal of time spent on the Second Reading in discussing the finance of the measure was wasted because the financial proposals were afterwards changed; and similarly, in connection with the 9th clause, a great deal of time was wasted. That is a question upon which we might have been entitled to hear the views of my hon. Friend the Member for Bedford. I think he might have given us his views upon the proposal to put the whole of our Parliamentary proceedings under the control of the Irish Members; but he remained silent on that point, as many other hon. Members on his side of the House, waiting for the signal to be given from the Treasury Bench. And here we can illustrate the methods followed in these Debates. The important speeches made on the Government's own side—such as that of the hon. Member for East Edinburgh (Mr. R. Wallace), for instance—were left as entirely unanswered and without reply as the speeches that were made on this side of the House. A third reason for the prolongation of these Debates has been the manner in which we have been treated by Her Majesty's Government, and the way in

which the Debates have been conducted by them. Sometimes they have been altogether silent when we have asked for explanations. It has been necessary sometimes for four or five of us to rise in succession before we could get any explanation. Then, again, quite unexpectedly and on some minor Amendment, the Prime Minister would rise and make an interesting excursion into old Irish history, or entertain the House by most interesting reminiscences, or make a violent attack upon hon. Members sitting on these Benches, conceived in the style which illustrated the calm temper attributed to him by the hon. Member for Bedford; and in that way the time of the House would again be occupied. I would also point out a very curious fact, and that is this—that whenever the guillotine has been moved, and whenever hon. Members opposite knew the precise point at which it would be reached, there was immediately a commencement of interesting speeches from hon. Members from Ireland and hon. Members opposite. They felt, as we feel, that discussion was necessary, yet they repressed discussion; but whenever an opportunity was given, when, without trenching on the time of the Government they might have their say on the Bill, then many interesting revelations were made. I need only point to what happened within the last two or three days, when there was a most interesting discussion on Irish Universities. Was the time spent upon that wasted? If we had not raised the Amendment, that discussion would not have taken place. Then, again, there was the question of bounties. So soon as we raised the question and the Government made it known that these proceedings were to be brought to an end at a given time, hon. Members on their own side got up and spoke of the danger of bounties being given. I quote this to show the necessity and wisdom of discussion even from the point of view of Her Majesty's Government. Their complaint is that the discussions have been too long. My right hon. Friend called attention to the Amendments that had been accepted, and said that their acceptance had been made a matter of reproach to the Government. Not at all—there has been no reproach in what has been said. What was said was this—that it showed the

necessity for discussion. The fact is that it is a crude Bill, and its crudeness has been exhibited during the whole of the proceedings upon it; and hon. Members opposite cannot persuade me that they do not recognise that there must be a strong motive on our part to show the country the character of the problem the Government have proposed, and the character of the solution they propose. We believe that these discussions will, to a large extent, show the insoluble character of the Home Rule problem. No one denies the great ability of the Prime Minister and his colleagues; but what the country will see—and what, perhaps, the agricultural labourers will see—is that the Government, with all their cleverness and with all their resources, have not been able to submit a Bill that will hold water after argument; that so soon as it was argued, even hon. Members from Ireland began to expose the weak points in the Bill; and that it was only by the use of the gag that they are able to meet the arguments of their opponents. Have we not a right to hope that we shall hear the Irish Members on this Bill? Does not the future of the Bill—does not its finality—depend a great deal on the opinion of it held by the Irish Members? It was important, therefore, that we should hear their criticisms; and if the Government have given any sort of intimation to the Irish Members that time should not be spent in discussion, I say they have defrauded the people of the country of the proper opportunities of ascertaining the light in which this Bill would be regarded by them. I say that whether you look at the importance of the Bill, whether you look at the number of the issues contained in it, whether you look at the changes made in the course of our proceedings or at the extraordinary manner in which the Government have thought it right to conduct these discussions, you will find that the responsibility for bringing this discreditable gag upon the House lies at the door of the right hon. Gentleman opposite and his supporters. Hon. Gentlemen opposite boast of not having taken part in these discussions. They did not begin to discuss it even in Committee. It was a premeditated conspiracy of silence. It was not that they thought that we were spending too much time on the Bill, and

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that, therefore, they would refrain from intervention. From the beginning there has been a conspiracy of silence. My hon. Friend the Member for Bedford taunts the right hon. Gentleman the Member for Bordesley (Mr. Jesse Collings), and says that if he went through one of the villages to which he alluded from one end to the other the agricultural labourers would not know much of this question. Well, there was a Colleague of the right hon. Gentleman's, the hon. Member for South Tyrone, who made an expedition, not through a village, but through a town, and we do not observe that that journey was so barren of results as the hon. Member for Bedford thinks it will be. We think the country will understand this method of proceeding. Hon. Members opposite seem, many of them, not like the hon. Member for Bedford. The hon. Member for Bedford, at all events, has the feeling to say that he dislikes this Closure, and he told the House that it was a painful moment for him to rise and speak with regard to it; but other hon. Members seem to revel in the composition of the gag. Whether you hold it is our fault, or whether it is yours, at all events we should have thought that those right hon. Gentlemen who have been long responsible for taking a leading part in this House would not like the violent cheers of hon. Members below the Gangway and of their younger supporters behind them, who, perhaps, have whipped them into the necessity of proposing this Motion. The right hon. Gentleman the Prime Minister said, towards the close of his speech, that this was a question whether the minority should have its way or the majority. He said that was a matter as deeply important even as the Home Rule Bill itself. I am inclined to share that view with him. This proposal, as was shown by the right hon. Gentleman the Member for West Birmingham, is made in absolutely different circumstances to that of 1887. This proposal is certainly one of the most momentous ever submitted to Parliament. The Prime Minister said that it was a necessary sequel to the last. I should have thought it possible that the experience of the last step of this sort that he took might have warned him against the present. Are he and his supporters perfectly indifferent to the

fact, or do they rejoice in the fact—and, to judge from the cheers with which they met his Motion, they rejoice in it—are they indifferent to the fact that under this proposal it will be impossible to discuss the financial relations between the two countries? Are they glad to escape from the discussion of the 37th clause relating to the land? Are they glad? They may be glad in one sense, but in another they must feel that they are delivering a blow at the efficiency of Parliament and the *morale* of Parliament, from which they may never recover. Supposing that it was our precedent which prompted you to set up this further precedent, then with what terror must we not look upon the future and the further action which may be taken on the strength of the action you initiate to-day, if, in a Bill of this kind, with the question of finance undiscussed, with the question of the land undiscussed, with all these vast questions undiscussed, you are content, though you have the opportunity of an Autumn Sitting before you in which they could be discussed—you are content to impose this gag on the House of Commons to-night? What are we to hope for the future of this Parliament? It is a far greater question than the political issue now between us, grave as that issue is. At that fair play which has always been valued so much throughout the whole of Great Britain and Ireland you are striking a blow from which it may never recover. If Parliament sets such an example it will affect the whole public life of this country. In these strong measures that you are taking to-night I see future political trouble—I see a change in the whole spirit in which public affairs may be approached in every part of the country, unless, indeed, as we hope and believe, the country will condemn you for this step you are taking to-night. They will condemn you for having introduced into Parliament a slavery against which I trust the public will revolt. We, at all events, are prepared to go to the country on such an issue as that. We do not envy our political opponents at the next Election their cry of "Gladstone and the gag!" I honestly and profoundly sympathise with some of my right hon. Friends on the Treasury Bench. They have been driven into these proceedings. They must feel with me

that this new principle may not only affect the Home Rule Party, but may have consequences on the future public life of England which we should all deeply regret. The Government have so little confidence in their Home Rule Bill, especially now that it is to be forced down the throat of the country with the gag, that they cannot—they dare not—go to the country upon it. They dare not spend the Autumn Session upon it, because they must have some other measures which will sweeten the dose the country is asked to swallow. The hon. Member for Bedford (Mr. Whitbread) said, in the most solemn tones—"I do not know what is the British majority." Of course, he was cheered by the Chancellor of the Exchequer (Sir W. Harcourt), who always says, when the question of the British majority is brought up—"That is a nice argument to come from you, who are Unionists." Yes; but there is another term which has sometimes entered the ears of the hon. Member, and which certainly ought to have struck the ears of the Chancellor of the Exchequer, and that is "the Irish majority." If there is no British majority, of course there is no Irish majority. It is the Irish majority to which my right hon. Friend the Prime Minister always appeals, as having given the decisive and last voice on Home Rule. Home Rule was determined upon when the Irish majority spoke at the Election of 1886. The British majority, however, is never to be heard alone. We may have as large a majority as we like, but it is always to be tempered by the Irish majority. I ask whether that is reciprocity? Of course, we have ceased to look to the Treasury Bench for any kind of reciprocity in this matter. There does not sit on that Bench a single right hon. Gentleman who ever rises to protest on behalf of the British majority. When they know the British majority is against them they say—"You must throw in our Irish allies." How strange it is that they cannot hear the separate voice of Great Britain when their ears are so open to the separate voice of Ireland! I think that the British majority, when it is brought face to face with the question of the disavowance of the old partnership, the old association, the old union, will say that such disavowance cannot take place without having a ma-

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majority in its favour in Great Britain as well as in Ireland. The country will not permit this question to be solved simply by a majority which would be a minority if the 80 Irish Members were not included in it. [*Ministerial ironical cheers.*] Yes, the Irishmen shall have their full voice with us while we remain a united Parliament. The cheering of right hon. Gentlemen opposite induces me to ask, in the language of the Prime Minister, how must that intellect be constituted which cannot conceive that if the Irish majority counts for something the British majority must also count for something? We do not make the separation. We say, let us all continue to act together. The point, however, I wish to submit to the House is this—that it is the country which must decide between us. You do not wish to take an issue on this Bill, even associated as it is with your changed method of Parliamentary procedure; but our Parliamentary traditions are to be broken in order that the Government may find time to pass other measures on which the majority of their own supporters are not united. You rob us of the necessary time for discussing this Bill, because it would have been perfectly possible to have debated the Bill to the end. I do not believe that you will be forgotten by the country for that which I consider to be the greatest inroad upon Parliamentary liberty which has ever been made by a Government.

\*MR. T. W. RUSSELL (Tyrone, S.) said, the hon. Member for Bedford (Mr. Whitbread) had been good enough to tell Unionists that when they went to the country they ought to be careful to tell not only the truth, but the whole truth. Speaking for himself, he should certainly take the advice tendered by the hon. Member, and he hoped the hon. Gentleman would allow him to tender him a little advice also. On that night week the friends of the hon. Member were engaged in the City of Hereford in circulating a leaflet from house to house declaring in plain black and white that under the Home Rule Bill 80 Irish Members were to be retained, but that they were not to have the power to vote on British subjects. The friends of the hon. Member for Bedford would, therefore, be all the better for a little looking after in matters of this kind. He had

another thing to say to the hon. Member for Bedford. The Unionists were not afraid of going to the country on this Bill. The Gladstonian Party, on the other hand, were afraid of discussing it in the country. The best proof he could give of this was that at the recent Hereford election the Gladstonians did not discuss the Bill at all. Directly the son of the Prime Minister appeared on the scene he dragged a Railway Committee three years old across the track in the vain hope of getting some 300 railway votes. The Government maintained that they had a mandate from the country with regard to this Bill. He could understand them saying that the constituencies had the Home Rule Question in the abstract before them at the General Election. Covered up as it was, dodged by many as it was, he was willing to admit that in the abstract the question was more or less before the country at the General Election. If anyone, however, said he had a mandate in favour of the Bill, he (Mr. Russell) was bound to ask in respect of what Bill was the mandate given? The House had had before it two or three Home Rule Bills this Session. Would any British Member say he had received from his constituents a mandate for the subjection of England to the Nationalist Members? There was not a Member in the House who did not know that that was a matter which was incapable of defence on a public platform in Great Britain. If the Government thought they would cram such a monstrous proposition down the throats of the British electors, as they had crammed it down the throat of the House of Commons, they were entirely mistaken. The Prime Minister could gag the House, but he could not gag the electors. Fortunately it was the country and not the right hon. Gentleman that would have the last word. The argument that the Government had a mandate would not justify them in destroying the liberties of the House of Commons. He wished to refer to the subjects that had been left totally or partially undiscussed in Committee. Clause 5 set up an Executive Authority in Ireland and defined its powers. This was a totally new thing. Grattan's Parliament had no Executive responsible to it, and yet, important as the subject was, it had only received one

or two hours' discussion in Committee. Clause 6 defined the constitution of the two Houses of the Irish Legislature. Not a word had been said in regard to that clause. Clause 9 provided for the representation of Ireland in the Imperial Parliament. That clause, which he ventured to call the "subjection of England Clause," and which was a perfect revolution in itself, was passed after six hours of discussion, having previously been kept secret. Clauses 10 to 20 contained the financial proposals of the Bill. Hon. Members all knew their history, frequently they had been altered, and how slightly they had been discussed. Clauses 20 and 21 dealt with the transfer of the Postal and Savings Banks Service, and had not had a word of discussion. Clauses 22 and 23 set up a Supreme Court for the decision of Constitutional questions. That was a thing which had never before been done in the history of this country, and yet it had been passed without a syllable of discussion. Clause 24 opened the office of Lord Lieutenant of Ireland to Roman Catholics, and ought to have been discussed. Clauses 30 to 41 contained miscellaneous and transitory provisions, many of them of great importance, including the reservation of the Land Question to the Imperial Parliament for three years. The Land Question lay at the bottom of the whole Irish trouble, and yet the clause had been passed without a word of discussion. Seven Schedules had also been rushed through the House without discussion. One of them was a Reform Bill in itself. He ventured to tell the Prime Minister that no greater outrage had ever been perpetrated upon any people than that for which the right hon. Gentleman was responsible in regard to the Second Schedule.

MR. W. E. GLADSTONE: Yes; there is one greater outrage.

MR. T. W. RUSSELL: What is it?

MR. W. E. GLADSTONE: The Schedule proposed by the hon. Member himself.

\*MR. T. W. RUSSELL said, it was quite true that he had brought forward a Schedule. Would the right hon. Gentleman give him time to discuss it? He would tell the right hon. Gentleman what his (Mr. Russell's) proposal was, and what was the Government proposal.

The right hon. Gentleman had declared his anxiety to give the Irish minority fair play in every way, and to protect them as much as possible. The Government Schedule would leave the Irish minority in this House represented by 14 or 15 seats out of 80. ["Oh, oh!"] Let the hon. Member for North Kerry take up the Schedule and examine it for himself?

MR. SEXTON: I have.

MR. T. W. RUSSELL: I say that from that you may calculate that the Unionist representation would be 14 or 15.

MR. SEXTON: More likely 20.

\*MR. T. W. RUSSELL said, that if it were in Order he could show that the Schedule would give a representation of 14 or 15. His (Mr. Russell's) Schedule would have abolished the representation of the wretched Nationalist boroughs of Newry, Galway, and Kilkenny——

MR. W. REDMOND: No more wretched than County Tyrone.

\*MR. T. W. RUSSELL said, he did not mean that the boroughs themselves were wretched, but that the constituencies were wretched in point of numbers as compared with the counties. The right hon. Gentleman had carefully given three Members to each of the counties in the South of Ireland with 20,000 electors, whilst he reduced the number of Members for Northern Counties with 26,000 electors——

\*MR. SPEAKER: The hon. Member is not entitled to go into the Schedule.

\*MR. T. W. RUSSELL said, it was because it had been impossible on every occasion to discuss the Schedule that he was tempted to violate what he knew to be the Rule of Order in the matter. At any rate, he ventured to say that the Prime Minister in forcing the Schedule through the House without a word of debate had been guilty of one of the greatest outrages ever perpetrated upon Ireland. He did not care what the right hon. Gentleman called his Schedule. He had the whole of the Protestant population of Ulster behind him in the matter; and so long as he had that, he cared little for what the right hon. Gentleman thought of his language. That was the position they were in at the present moment. And what was all this done for? Was it because there was any urgency for the Bill? Why, in the very text of

the measure it was provided that it was not to come into operation until September 1, 1894. What was the hon. Member for Bedford so anxious about? Did he desire the Local Veto Bill to come on—a Bill which he (Mr. Russell) approved of, but in connection with which he could not help noticing the accustomed methods of the Government. They were going to the country with a cry of local option, but they were bringing in the Irish Members to coerce the people of England—it might be, to deny them their right of local option. These things were done for Party expediency. The Government knew that their Home Rule Bill would not carry them through the General Election, and they desired to pad out their case with other measures. That, and that alone, was the cause of these extraordinary proceedings by which the liberties of Englishmen were being destroyed, and precedents were being set up which the Party in power would live to regret. He protested against the Bill, and against the procedure by which it was being thrust through the House. He maintained that that procedure was unprecedented. It was useless to say that the procedure on the Crimes Act of 1887 was a precedent for the present procedure. The precedent did not lie in a single particular. As a matter of fact the Bill was being pressed on not because it was required by the people of England, but in the attempt to rush through other measures which would have a better chance of keeping the Members of the present Government on the Front Ministerial Bench.

\*SIR G. CHESNEY (Oxford) said, that hitherto he had but seldom intervened in this Debate which had been conducted with so much efficiency on the Opposition side of the House; but as a private Member he should like to be allowed, in discharge of his duty to his constituents, to record his protest against the manner in which the voting upon the Report stage of the Bill was being forced upon the House. The present attitude of the Prime Minister showed how rapid was the course of political degeneracy when once an evil path was entered upon. The wonder to him was that the indignation which so many private Members felt at the high-handed action of the Government was not more

*Mr. T. W. Russell*



loudly expressed than it had been. As a new Member, he sometimes found it hard to think that they were sitting in the famous House of Commons, the birth-place of liberty and free Debate. When he saw the course pursued by the Prime Minister he asked himself whether this was, indeed, to be the outcome of 250 years of free Debate—that this Bill, which had been thrown before them with hardly a word of explanation, with all its complicated, confusing, and often contradictory clauses, should be pushed through on a specified night, while a great part of it still remained without any discussion or Debate whatever. As a precedent for his proposal the Prime Minister ventured to refer to the Crimes Act of 1887; but to say that what was done in connection with that Act was any precedent for what was being done now was simply to trifle with the intelligence of the House. The Crimes Bill was a short, simple measure. *[Laughter.]* The right hon. Gentleman opposite (Mr. Mundella) laughed. Well, the measure was a simple one. It was framed to deal with one particular class of crime, and, moreover, before the Closure was introduced all the essential clauses of the Bill have already been passed. The Closure was only introduced when there was most obvious and plain obstruction in connection with the details of the Bill, which were really of no essential importance. *[Laughter.]* Yes; but what was the case with the present measure? Every clause was a Bill in itself, and to pass any one of them without fair Debate and discussion was a great Constitutional revolution; nothing less. But, nevertheless, it was the will of the Prime Minister; therefore, that was the procedure adopted by a small and unwilling, and certainly very uneasy, majority. Take only one clause—that under which the Irish Members were to come back in full power, if not in full numbers, to the Imperial Parliament. It brought about an entire change in the character of the Bill. Not only that, but the whole of the financial arrangements had been entirely changed since the Bill was first introduced. Possibly the supporters of the Prime Minister might find comfort in believing that the political degeneracy observable in the Government extended to the people, and that, therefore, the latter

were prepared to accept a demagogue Dictator. But it was the solace of the Opposition to believe that a very different issue would arise. For his own part, he believed that the English people were slow to withdraw their confidence when it had once been given; but when they found out that they had been misled and deceived; that the measure which was passing through the House was an altogether different one from that which had been put before the country, and that, so far from getting rid of the Irish Question, and being able to turn their attention to all the pressing reforms which had been so long neglected, they would still have the Irish Question before them, in a new, and more acute, and more embittered form, he believed that they would execute judgment upon those who had abused their trust. He hoped and believed that then they would get rid of Home Rule for ever. Home Rule would be looked upon as a bad dream. But what would be the effect upon the political future of the country—would the House of Commons recover from this degradation? This was by no means equally certain; and, therefore, in this last act of the Constitutional drama—rather he would say of this political farce—he desired to put on record an expression of his dislike for the proposal of the Government, and an expression of opinion that the verdict of the House and of posterity in the long run would be that no one had done more than the present Prime Minister to degrade the House of Commons and to bring Parliamentary Institutions into contempt.

MR. BODKIN (Roscommon, N.) said, he would wish to remind the House of the remarks of a great statesman and great orator whom they had heard that day. He wished to appeal from Philip Tory to Philip Radical—he presumed it would be unparliamentary to use another Christian name. He wished to remind them of a speech delivered in 1885 by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) under somewhat similar circumstances, but when there was no such suggestion of obstruction as on the present occasion. The right hon. Gentleman then said—

"By the abuse of its Rules and of the liberty of free speech this great historic Assembly has been reduced to a condition of impotence and inability for which we ought to find an immediate remedy. When this great implement of the national will is rendered powerless the whole of our Constitutional system is brought into disreput, and it would be of very little use for us to plume ourselves on the reforms in the representation that we have just accomplished, if, after all, Parliament is not to regain its full power over its own Debates and its own legislation."

Then the right hon. Gentleman went on to speak of obstruction by the House of Lords ; but bearing in mind Mr. Speaker's ruling in connection with that question, he (Mr. Bodkin) would not quote the right hon. Gentleman's remarks in that connection. The right hon. Gentleman, however, concluded—

"Obstruction, whether in the House of Lords or in the House of Commons, plays the game of the Tories."

That was as true, or more true now than it was then, and the right hon. Gentleman who now declaimed against the Closure was the gentleman who advocated it so strongly. He had not the exact reference to this speech of the right hon. Gentleman, but it was delivered in 1885, and the right hon. Gentleman and his friends would be able to identify it by certain expressions. It was in that speech that he alluded to

"the oracular persons who sit on the fence and slang the man at the plough."

It was in that speech also that he alluded to the right hon. Gentleman the ex-Chancellor of the Exchequer as "the skeleton of the Egyptian feast," and as "being more Tory than the Tories themselves." Possibly those more candid views of the right hon. Gentleman the Member for West Birmingham might have some effect on the minds of the Tories who now followed his guidance in the House of Commons. They were told that 1887 was no precedent for the present case. It was not an exact precedent, but it was a precedent that not merely covered but overlapped the present case. If the implement was good enough to take away the liberties of the people in 1887, it was good enough to restore them now. A man was once attacked by another with a life preserver and knocked down. He got up again, however ; took the weapon from his assailant, and struck him in return with it, when the latter exclaimed that it was a shame to strike a

*Mr. Bodkin*

poor fellow with a thing like that. The Closure was a weapon forged by Tory hands, and it could not now be helped if they did not like the taste of their own medicine. The right hon. Gentleman the Member for West Birmingham, in a moment of unusual candour, had himself admitted that the Bill might have been discussed in an ordinary Session if he and his friends had not been irritated. The right hon. Gentleman himself was responsible for the irritation. There had been ample time to discuss the Bill fairly. The function of the House of Commons was to give effect to the will of the people, who had declared in favour of an Irish Legislature, with an Executive dependent upon it. The question was whether they were to be permitted to carry out this mandate, or whether the time of the House was to be wasted with the eloquence which had flowed so freely, and which, if permitted, like the brook in Tennyson's poem, would have flowed on "for ever" from the Tory Benches ?

MR. RADCLIFFE COOKE (Hereford) said, that as he had had the honour of being just returned to the House with an undoubted mandate, he thought it was not unlikely that his constituents would like him to inform the House what that mandate was. He had listened with attention to the hon. Member for Bedford (Mr. S. Whitbread), and he was pleased to notice that the hon. Member still pursued the course he used to follow when he (Mr. Cooke) was in the House before, and threw the glamour of his respectability over matters of doubtful character. The hon. Member had challenged the right hon. Member for Bordesley (Mr. Jesse Collings) to go through the villages and test the opinion of the inhabitants on Home Rule. Well, he himself had just been through the villages—for Hereford was more or less a county constituency ; he had had to canvass the villages, and the answer that he got from the inhabitants of Hereford and the surrounding villages was that they would have nothing whatever to do with the Bill. But he had learned something more. He had learned that the opinion of those who had stated in the House to-night that the country had not been fully informed what the real nature of Home Rule was at the General Election was the true one. The late Member for Hereford, whose seat he (Mr.

Cooke) so unworthily filled, did not know, and the electors who voted for him did not know, what was the nature of the Prime Minister's Home Rule. It was only since discussion had taken place in the House—discussion which had never been permitted in the country—that the electors of his and other constituencies had come to know what the scheme was, and now that they knew what it was they did not like it at all. The hon. Member for Bedford had taunted the right hon. Gentleman the Member for West Birmingham with speaking of the British electors, and himself professed to be unable to distinguish between British and other Representatives; but he should have asked his great Leader the Prime Minister to teach him, for in 1885 that right hon. Gentleman had said that there was this distinction between British and Irish votes—that the votes of British Representatives ought to be independent of the votes of the Irish Representatives. If there was no difference, why did the right hon. Gentleman draw a distinction between them on that occasion? He was not going to trouble the House with any lengthy observations now, but he wished to say that it had struck him in the course of the Debate that if the Bill engrossed the attention of the people as deeply as the supporters of the Government claimed it was strange that they should find it necessary to bolster it up with a great number of other measures. Why did not the Government go to the country and say that this Bill was the measure of the Session, and one of first-rate importance, altering, as it did, the Constitution of this country? The Bill was one which ought to be discussed at enormous length in the House of Commons. It was a Bill which ought to occupy the time of Parliament for a whole Session. Surely it could not be said that a Bill altering the Constitution of the country in a way that this Bill altered it was not a measure of the first magnitude. If they had devoted a whole Session to the Bill in a straightforward way an Autumn Session would not have been required. Members representing the labouring classes, railway servants, and so on, were all desirous of bringing forward Bills affecting their interests, and those measures were to be brought forward at an Autumn Sitting. Surely

if the matter had been plainly put before those hon. Members they would have consented to hold back their smaller interests in deference to the greater one of Home Rule. But the right hon. Gentleman knew that neither the constituencies nor his followers cared for the Bill, and, therefore, he had to supplement it with various other measures. The hon. Member for Bedford referred to the possible action of the House of Lords. He had said that when the Tories were in Office they could apply the Closure with effect, as the measures to which it was applied would be invariably passed by the House of Lords. Well, it occurred to him (Mr. Cooke) that there were hon. Members opposite who were looking forward with a great deal of hope to the House of Lords. Their want of independence had been referred to by the right hon. Gentleman the Member for West Birmingham. They were longing for a more independent Body to do what they would not do for themselves; and then, when that independent Body had saved the Empire, those same hon. Members would turn round and denounce it, and say they were going to mend it or end it.

\*MR. T. D. SULLIVAN (Donegal, W.) said, the hon. Member for South Tyrone (Mr. T. W. Russell) had been speaking about the Prime Minister bringing 80 Irish Members into the House of Commons. Were the Irish Members not there at the present time, and what brought the Irish Members at all to the Imperial Parliament? The Act of Union brought them there, and if the Act of Union remained and continued as it now stood 80 Irish Members, and more, would continue to be in the Imperial Parliament. Why speak, then, of the Prime Minister bringing 80 Irish Members into the Imperial Parliament, as if there were no Irish Members there at present, and as if Irish Members were not to continue to remain there whether they had Home Rule or not? If there were to be 80 Irish Members in the Imperial Parliament, and there was to be no Home Rule, he should like to know where the relief was to come from? The relief would come in if Home Rule were granted to Ireland, because, although they would still have the right to return 80 Members, his belief was—and he had no reason to doubt it was the belief of

every Irishman who knew anything about Ireland—that the Imperial Parliament would not be troubled, except upon very rare occasions indeed, with the presence of the Irish Members. The rejection of Home Rule would mean that the Irish Members would continue to be here early and late, day and night, and would stick to their work. He did not want to indulge in any threat or menace; but he might say that if the Irish Members had to remain in the Imperial Parliament after the rejection of Home Rule, the action which they might be disposed to take under such conditions would not tend to the smooth progress of legislation.

\*MR. SPEAKER: The future action of the Irish Members, so far I can see, has nothing to do with the Resolution before the House.

\*MR. T. D. SULLIVAN said, he would not refer to that matter further; but his point was that, Home Rule or no Home Rule, the Irish Members would continue to remain in the Imperial Parliament. He believed that they had in Ireland the right to look after their own affairs—

\*MR. SPEAKER: Order!

\*MR. T. D. SULLIVAN said, he would not pursue that point; but when they were told that there was an Irish majority in that House, they should remember that this was an Imperial question, and that they had a right to speak and vote upon it as such. He would remind hon. Members who wished to separate nationalities in this way that for many years Irish questions had been decided by British majorities. Many very useful measures had been brought in by the Irish Members and had been rejected by British majorities. As to the appeals to outside opinion, he knew something of the English electors, and he looked with absolute confidence to the result of the next General Election. He said for the Irish Members—and the Liberal Members could say it for themselves—that they believed the English people were in favour of the great measure now before the House. He relied upon the British people. It was said they did not vote upon Home Rule. The implication was that Home Rule was objectionable to the great mass of the British electors. That was not so. It was not objectionable, but the electors

*Mr. T. D. Sullivan*

claimed, and fairly claimed, that they should do something more than pass a Home Rule Bill before going to a General Election. The Government were alive to the fact that they were returned not simply on Home Rule, but on Home Rule and other questions. They had a mandate for that, but they had a mandate for the other things as well, and it was their duty to do their utmost to fulfil that mandate, and they were going, he hoped, to do so, so far as it was possible to do it. Having done that—having dealt with other useful and necessary measures—they could then go to the constituencies, who, he believed, would send them back there with renewed and re-invigorated powers to complete the great work committed to them.

\*SIR J. GOLDSMID (St. Pancras, S.) said, he did not think that it was necessary to follow the hon. Member opposite (Mr. T. D. Sullivan) in his experiences of the feelings of the British electors. The hon. Gentleman had not always entertained the very high opinion of England and the English which he now felt himself able to express.

MR. T. D. SULLIVAN: Hear, hear!

\*SIR J. GOLDSMID said, however that might be, he was anxious to say a few words on a more important matter. He had often listened with pleasure and pride to the speeches of the hon. Member for Bedford (Mr. S. Whitbread), but he had heard him that evening with shame and regret. The hon. Member had hitherto always stood up for free speech in that House; to-night he had risen to support a very different policy. There was no precedent for the course the Government were taking. The Bill before the House altered the whole Constitution, not only of Ireland, but that of England and Scotland as well. They had had no such Bill as this since 1800, and no such measures were adopted on that occasion. Then they were told there was a precedent in the case of a Bill to put down crime. To say that the procedure on a Bill for the suppression of crime was a precedent in this case was to put honest, straightforward citizens on the level of criminals. The Prime Minister ought to go to the country now as he did in 1886, if his Bill were rejected by the House of Lords. That was the real precedent. But the right hon. Gentleman knew that



his Bill would not be approved by the country, and therefore he wished to prepare some legislative sugar-plums to sweeten the dose to the electors. He (Sir J. Goldsmid) had had opportunities in many parts of the country of ascertaining the feeling of the English electors; he knew something more about the English electors than the hon. Member who had just spoken. He knew that the one thing which they prized above all others was the free speech once enjoyed in the House of Commons. The people of England would never accept the Bill; but, at any rate, the Government would not gain by their policy of Closure, which set up a precedent that would be most injurious in the future of Parliamentary procedure. The hon. Member for Bedford used to have a doubt upon these questions; but he had now laid down the doctrine that the Government had the right to say how much time was to be spent on the discussion of each of the measures they submitted to Parliament. This Bill, the hon. Member told them, had occupied more time than any other Bill. He (Sir J. Goldsmid) was not surprised that it had occupied more time than any other measure. One of the Schedules was in itself a Reform Bill; and he remembered a Reform Bill—it was a small, but a very important one—the Ballot Act—which took up two whole Sessions, and he said the Bill was a better one as agreed to in the second Session than it was in the first. Again, this Bill raised the question of establishing a high Constitutional Court; and such a new principle, so widespread and far-reaching in its effects, if adopted at all, should only be adopted after most careful consideration. In America there was a method of preventing any great Constitutional change, and there was also a method of a two-thirds majority. Therefore, he repeated, they should have full opportunity for discussion of this measure. For himself, he had taken very little part in the Debates. He had spoken only twice on the Committee stage of the Bill, though he had been present throughout the discussion, and he had never heard a Bill discussed with more care to avoid repetition and to keep to the point before the Committee. Every clause of the Bill raised many questions, and every clause should have been properly considered. They should have had liberal

discussion. It was not unreasonable that in such a case any course open to the Government should have been considered. It would, he thought, have been only reasonable that the Government should have brought in the Bill at the beginning of the Session, and had it discussed from day to day. But they hampered the proceedings of the House by introducing many other Bills included in the Newcastle Programme, in order to get credit with the electors. The Resolution already passed at the instance of the Government had seriously injured the Government and the House of Commons, and this one would do so all the more, because it came from the Prime Minister—he who used to be the proud defender of British liberties, but who had come to this! His descent must be bitterly regretted by his admirers past and present. The hon. Member for Bedford said that, because the attendance in the House was somewhat slack last week, the “gag” was justified. The hon. Member did not mention that last week was the hottest week of the year. He himself spent two-thirds of the time on the Terrace, because the atmosphere of the House was so oppressive. It would be discreditable to the House of Commons if this Gaggling Resolution were adopted, and he hoped that even at that eleventh hour the Government would determine not to press it upon a powerful and a reluctant minority.

MR. W. AMBROSE (Middlesex, Harrow) said, he had considered very carefully the reasons given by the Government for forcing this Motion upon the House. He did not for one moment deny that circumstances might arise when it might be necessary that a Resolution of this kind should be adopted, in order that the measures of the Government might be pressed forward and have fair play. But he took it that, unless they were prepared to sacrifice all freedom of debate, they were not willing that any Minister should be allowed to make a proposal of the kind without giving reasons for his action and showed justification for it. It was said that precedent was justification. He thought they wanted a great deal more than precedent. They ought to have facts to justify the course they were taking. There might be a precedent which it was not desirable to follow, and each case, he

thought, ought to be judged on its own merits. But there was no precedent for this proceeding. The Crimes Act of 1887 had been mentioned; but they had heard nothing, so far as the Debate had gone, to show that there was any analogy between the two cases. What were the circumstances of 1887? The Bill then before the House was a small procedure Bill. Crime was at the time triumphant in Ireland. The criminal classes and secret associations were triumphing over the Government and defying them. Large classes of the people were suffering as a result of this; and juries could not be got to find verdicts owing to the intimidation that prevailed. Therefore, it was necessary for the Government to take some measures to strengthen the hands of those who were responsible for the administration of the law. The fact was that the Bill brought in on that occasion was a very simple Bill, dealing with a very simple matter—giving the Magistrates certain power to deal with crimes of a certain character, without going to juries. Well, the Bill was introduced; then they had most flagrant obstruction, but 30 or 35 days were occupied before the Closure was necessary. They had a small minority, making speech after speech, moving no genuine Amendments, but very obstructive Amendments. But even the Closure, as then applied, differed widely from the Closure as adopted by the present Government. If the Closure had not then been adopted they never would have been able to get that Bill through at all, and the result would have been that crime in Ireland would have gone on triumphing over the authority of the Government and of Parliament. Those were the circumstances of 1887. He asked any Member was there any analogy to the present occasion? In the first place, they had the necessity of getting through a very simple Bill—it was alleged there were one or two new crimes in it; he did not know, but, at all events, it was a very simple Bill, and he asked could anyone say that it was a Bill to be in any way compared to this one? It was rightly said by the ex-Chancellor of the Exchequer (Mr. Goschen) that there were as many as 14 Bills in the present Bill. He had endeavoured to bring to mind any Bill that was so important as this that

ever was before the House, and he could not think of any Bill to compare with it. Those were the circumstances under which they had to deal with it. If there was obstruction, they were, at least, in a different position from that of 1887. But there had been no obstruction. They had had, in the discussions on this Bill, the application of the Closure with very great freedom, but there had been no objection. They on that (the Opposition) side could not, of course, always undertake to stop the fluency of hon. Members around them; but the Government would remember that where there had been Closure they had allowed it to be carried without a Division. What was perfectly plain was that the Government had not realised the real difficulty of the Bill which they had introduced. He did not think the Prime Minister would venture to say there had been obstruction in the course of the Debates. It was a matter of opinion, but he (Mr. Ambrose) had seen no obstruction whatever. He had seen Amendments moved—he had moved some himself. He thought those that he had moved were necessary. They had fairly and honourably done their duty in bringing forward these Amendments, and he must deny the charge of obstruction. He moved an Amendment the other day which he had attempted to bring up in Committee, but it was then ruled out of Order; he explained the merits of his Amendment, and the right hon. Gentleman the Chief Secretary (Mr. J. Morley) thought it consistent with his duty to charge him with the modesty of his appearance! The Amendment he moved would be the main point before the country at the General Election. He spoke for 100,000 people—for 14,000 electors—and because he occupied half-an-hour on that Amendment he was told he was to be congratulated on the modesty of his appearance! Evidently the right hon. Gentleman thought Members on the Opposition side had no right to speak at all. But they were only doing their best to give effect to their Amendments. What would be the result of the course the Government were now taking? He asked right hon. Gentlemen opposite to consider what it would be. Did the Prime Minister think he was going to gain by gagging the House of Commons? What was the fact? This Resolution

*Mr. W. Ambrose*

would destroy the character of the House of Commons as a deliberative Assembly. They must remember that if they gagged the House of Commons they could not gag the House of Lords. They would have this Bill before them, and, in proportion as the Government degraded this House and destroyed its power to deliberate—as a deliberative Assembly—in such proportion they increased the power of the House of Lords. What was the reason that the House of Lords had not hitherto been able to hold out against the House of Commons? Because of the confidence of the people in the Commons, and its freedom and independence in matters of deliberation. But by carrying this Resolution they made the House of Lords—the First Estate in the Realm—more powerful. The hon. Member who spoke a short time previously (Mr. T. D. Sullivan) said the Government desired to pass other Bills as well as the Home Rule Bill, and he charged the Opposition with having talked against this Bill in order to prevent other Bills being passed. But surely they had a right to protest against any attempt on the part of the Government to bring in a number of Bills for the mere purpose of catching votes, or for show purposes. The object of the Government, of course, was clear. They could not get a mandate from the country for Home Rule pure and simple, and they therefore wanted to create a conglomeration of interests. But the Opposition were opposed to a scratch majority for Home Rule being obtained by these means. The voice of the nation spoke in 1831 in favour of the Reform Bill pure and simple; and if the electors of this country were to give an equally direct and unequivocal mandate in favour of the present measure of Home Rule, the Opposition, both in that House and in the House of Lords, would have to bow to it; they would be bound to yield to the will of the people. But they were not bound to yield to what was really a scratch vote secured at the General Election, a vote given upon the various questions with which Home Rule was intermixed—upon Local Veto, Parish Councils, and various other subjects. He implored the House to consider its present position. He did not deny that there might be a cause for the Closure, but he could not justify the claim put

forward on the part of the Government to prevent the Amendments of the Opposition being put when the Division came on. That was a most unreasonable piece of work. Why should the Government have their Amendments put from the Chair and prevent the Amendments of Members of the Opposition being put, as well as being spoken upon? He could understand the reason. It was to prevent some of their own supporters from so acting as to reduce the majority. But the device would not deceive the electorate, and the House of Lords would never pass a Bill which had been forced through the House of Commons by a tyranny unknown before in the history of this country, and, he hoped, never to be again experienced.

MR. HENEAGE (Great Grimsby) said, he wished to enter his protest against this revolutionary, gagging, and degrading Resolution, for which not the slightest ground had been made out. The Prime Minister, in moving it, had not even hinted at direct obstruction, but the hon. Member for Bedford (Mr. S. Whitbread) had suggested that there had been indirect delay. He ventured to say that if there had been any delay at all that had been on the part of Ministers themselves, who had not endeavoured to economise time.

MR. W. E. GLADSTONE: What?

MR. HENEAGE said, the delay had been caused by Ministers themselves. This was the first Bill that had ever gone through the Committee stage in which no single Member who had moved an Amendment had even made a second speech upon it. In Committee it was usual for the Business to be conducted in a conversational manner, and Members often spoke two or three times on the same Amendment, but that had not occurred in this instance. The Government themselves by their action had not endeavoured to economise time by accepting necessary Amendments. His right hon. Friend the Member for Bury (Sir H. James) on the 2nd clause moved an Amendment in regard to the supremacy of the Imperial Parliament, and the Government accepted it in principle, but only after a long Debate.

MR. W. E. GLADSTONE: I was perfectly ready to accept that Amendment at 8 o'clock, but I could not get an answer from my right hon. Friend.

MR. HENEAGE said, that no doubt the right hon. Gentleman accepted it in principle at 7 o'clock, and the only question was where the Amendment should be introduced. The right hon. Gentleman the Member for Bodmin (Mr. Courtney) came to the rescue of the Government, and suggested that it should be inserted in the 2nd clause on the understanding that on the Report stage it should be transferred to the 1st clause, and the result was that that was only agreed to after a discussion lasting from 8 o'clock until midnight.

MR. W. E. GLADSTONE: The whole view of the Government was stated long before 8 o'clock. The delay was entirely owing to the Opposition.

MR. HENEAGE said, the difficulty of the Government had been that while they accepted the principle of Amendments they could not make up their minds as to words.

MR. W. E. GLADSTONE: Nothing of the kind.

MR. HENEAGE said, the fact remained that a suggestion made by the right hon. Gentleman the Member for Bodmin was accepted at midnight when it might have been accepted four hours earlier. Then there was a second Amendment as to the suspension of habeas corpus, on which at least two hours was wasted by the delay of the Government in making up their minds; and a further instance was to be found in the action of Ministers in reference to bills of exchange, on which the Chancellor of the Exchequer—that great financial authority—gave the House advice which the Law Officers of the Crown later on controverted. He therefore submitted that the Government had no right to complain of what they called indirect delay. The hon. Member for Bedford had stated that if one person was responsible more than any other for the retention of the Irish Members at Westminster it was the right hon. Gentleman the Member for West Birmingham. Could anything be more absurd? Why, it was not until after he had both spoken and voted for their total exclusion that the Prime Minister came down to the House and declared that he intended to retain them for all purposes. The Government would have to accept the entire responsibility for Clause 9. This was the second

time they had come forward with a proposal to stifle the voice of the Representatives of the people. Freedom of Debate had been one of the most cherished rights of Parliament since the time of Henry VIII. It was a very curious coincidence that the gag should have been moved at exactly the same point in the Bill both in Committee and on Report—namely, previous to the 5th clause. But that was easily explainable. The Government did not object to discussion on the first four clauses, because they knew that the clauses which would not be discussed would render those that were absolutely nugatory. No such Bill had ever been submitted to Parliament during the present century. It was a most comprehensive Bill—an Omnibus Bill. It reminded one of a ton of compressed hay, and it might be said to contain at least seven compartments of clauses, each of which was comprehensive enough to be made a separate Bill. There was the first compartment of four clauses, which were rendered absolutely nugatory by the 5th clause. The second compartment—the 5th clause—was sufficient for a Bill in itself, for it dealt with the power of the Executive. The third compartment—the 6th, 7th, and 8th clauses—constituted a Reform and Redistribution Bill; then there was the 9th clause, which the English people never would submit to; next, there were the Financial Clauses, which had never been discussed by the House; then there were the Land Clauses, sufficient for a Bill in themselves; and, lastly, there were the Schedules, not one of which had been discussed in any shape or form. It was said the other night that the handwriting was on the wall. Since the Bill was introduced the Leader of the House had had three opportunities of appealing to the people. The electors of Grimsby, of Linlithgow, and of Hereford had given a decided answer which entitled the House to discuss the Bill in every shape, and the Government had no right to silence the Opposition by means of the gag. Was it to be supposed that any Second Chamber in the world, much less an ancient Second Chamber like the House of Lords, would for one moment entertain the idea of passing a Bill of which only about one-tenth part had been discussed in that House? They could not prevail against a majority in that House,



but they could protest against that House being degraded, and they could declare what had been the policy of the Government—namely, a policy of concealment and gag. He believed the country would respond to that appeal, and that the Government would find that the Chancellor of the Exchequer was not far wrong when he said that the Government which stewed in Parnellite juice would stink in the nostrils of the country.

MR. RENTOUL (Down, E.) said, that the only Irish Member who had intervened in the Debate was singularly unfortunate in his quotations from a speech by the right hon. Gentleman the Member for West Birmingham—words which the right hon. Gentleman never used; and he had admitted that he was unable to say when and where the speech was delivered, or in what paper it had been published. The most important speech delivered in support of the proposal of the Prime Minister had been that of the hon. Member for Bedford (Mr. S. Whitbread), who had contended that the will of the majority should be allowed to prevail. But the point to be borne in mind was that the Home Rule Bill was not desired by the majority of the people of Great Britain; it had simply been brought in because the majority of the Irish people desired it. The hon. Gentleman suggested that many of the Amendments which had been proposed were irrelevant. But he ventured to submit that every Amendment brought forward had been absolutely necessary, and it was to be remembered that none of the salient points of the Bill were before the constituencies at the last Election. What were the salient points of the Home Rule Question? The first was the composition of the Imperial Parliament, the second the composition of the Irish Parliament, the third the power of Irish Members in both Houses of Parliament, and the fourth the question of finance. Yet not one of these points was clearly before the constituencies at the time of the last General Election; and he believed that if the electors had been told that it was intended to keep 80 Irish Members in the Imperial Parliament for all purposes, and if they had known that the Government in the course of the Debate would change

their minds on the financial question two or three times, very few Members pledged to such an absurd Home Rule would have been returned to Parliament. But it was suitable that the Closure should be proposed at the present time, because it was just what had been done in Committee. It would prevent these difficult questions from being discussed at all. The gravest and most important questions were those of finance and the land. They were questions, they were told, which would be settled by this Imperial Parliament. Certainly, they understood that the Land Question would be settled before the landlords were handed over to an Irish Legislature. But this Resolution would prevent the discussion of those questions. They were asked by the Prime Minister whether this House had ever given so much time to a Bill. The answer to that was—Had the House ever before had under consideration such a Bill as this? The hon. Member for Northampton (Mr. Labouchere), whose position and influence as a Radical they all knew, had declared that there were 20 Bills contained in it. That being so, where did the analogy come in? There had been no discussion on the Schedules. The hon. Member for North Kerry (Mr. Sexton) spoke of 15 Unionists being returned to the Upper Chamber in Ireland.

MR. SEXTON: Twenty.

MR. RENTOUL said, he was glad to have that admission. The Unionists would be in a minority still, for they would have only 20 out of 48. Then they were referred to the Rules made for Closure in 1887. The facts at that time were totally different. The Act then before the House was a small and simple one dealing with a point that was very briefly dealt with in this Bill—that of habeas corpus. The Government of that day had a majority of 98. This Government had a majority only of 38. The Resolution of the former Leader of the House, the late Mr. W. H. Smith, was passed by a majority of 152, or 22 per cent. of the whole House. The former Resolution of the present Government was passed by 32, or 5 per cent. They knew that Mr. Smith's majority was composed of British votes, and that the present majority—the majority on the last Resolution of this character—was not, for there was on

that vote a majority of 19 British votes against the Government. So that if the question were dealt with as Mr. Smith dealt with it, there would be a majority against the Government. Therefore the case was totally different. If, again, they took the stages of the Bill closed by Mr. Smith—his majority on the votes on First and Second Readings, on the four most important clauses, and on the Report stage and Third Reading—his highest majority was 162, and his average was 117 over the entire majorities on that occasion, whereas the Prime Minister's majority on all the important questions on this Bill stood at about 40. He therefore applied the Closure by a majority of 40, and that majority included the Irish Members. The Home Rule Bill as printed had 1,495 lines, 1,164 of which had not been dealt with. They had only dealt with 331 lines; and of those 331, 155 had been substituted for those originally introduced. The Government had admitted that those 155 as they stood when introduced were pure nonsense, and that they required to have others substituted in order to make sense at all. If they (the Opposition) had succeeded in showing that 153 lines of the Bill required alteration—that they were utter folly, and that others should be substituted—they only required time to put their case before the House and the country to make it stronger than it now was. It was remarkable to notice the opinions that were held by some of the Prime Minister's supporters on this point. The hon. Member for Northampton (Mr. Labouchere) had said in the columns of *Truth* that the Closure in this instance was one of those measures which might be enthusiastically cheered by certain persons, but that it was a measure that more moderate people would rather not see used at all; and *The Irish Independent* newspaper—the Independent Party having nine Members in the House, a Party which would be 29 if they had proportional representation in Ireland—took even a worse view of the matter, for in its issue of 14th July it said that a serious consideration arose, that yet another substantial portion of the Bill had been passed without Debate, and, possibly, without amendment. *The Independent* went on to say—

“That may be pleasing to the Tories, but it is not satisfactory to the Irish people.”

*Mr. Rentoul*

Therefore, they saw that one section of the Irish people—men of great intelligence and independence—did not regard this as a satisfactory way of dealing with the Bill, and thought it was highly dangerous that this Bill should become law without discussion or amendment. They had had it from every part of the House—they had had it from prominent Leaders of the House and from the Irish Party—that the very strongest protest should be entered against the action that had been taken by the Government. This was not an ordinary Bill; it was not a Crimes Bill. It was one affecting the whole liberties of the people of Ireland—one dealing with a great change in the Constitution of the country upon which the Empire had been built up, and one that ought to be discussed stage by stage. If necessary another Session should be devoted to making the Bill at least one that would hold water—that would be reasonable—instead of having the measure hustled through in this manner by the Prime Minister and those who supported him. It was upon these grounds that the Amendment had been brought forward, and upon those grounds it would receive the support of everyone on that (the Opposition) side of the House.

\*MR. THORNTON (Clapham) said, that since he spoke on the First Reading of the Bill he had not ventured to address the House on the question of the government of Ireland; but during that period he had had the opportunity of very carefully watching and listening to the Debates that had taken place, and the result of his careful observation was that upon his conscience he believed on that side of the House there could not be said to have been the least obstruction. The Debate upon each clause of the Government of Ireland Bill had brought forward new points which the Government themselves had acknowledged by the numerous Amendments that had been accepted by the Prime Minister and the Chief Secretary for Ireland. Nobody placed, as he had been, in the position of a careful observer during the discussions upon the Bill could have come to any other conclusion than that the discussions had been fair and most reasonable, and were directed to the elucidation of questions of the most enormous importance. Those around him who had taken part in the discussions had distinguished themselves

alike by their knowledge and eloquence, and when an Amendment was before the House on which they felt they could not advance the knowledge of the House they had maintained a very remarkable silence. There were men of light and learning around him who if they had been inclined to lengthen debate by reiteration could have done so, and rendered their utterances attractive; but, on the contrary, they had done nothing of the kind. There had been no obstruction from those Benches, nor could any such charge be laid to the Party to which he had the honour to belong. For himself, he had remained silent upon questions he was cognisant of, because he had heard them discussed far more ably and eloquently from the Front Bench than it was in his power to do; but though he had not taken part in the discussions he had felt it his duty to give his very best attention to the placing on the Paper of Amendments that had been well considered. Of these Amendments he could only say that they had been by Her Majesty's present Government either ruthlessly closed or whisked away into the tail-end of a new Bill, and, so far as he knew, destined to undergo a similar process. What was to be their position as Members of Parliament during the next week? The time was coming when they were not to be allowed to speak; and, so far as he understood the present Resolution, they were not to be allowed to vote, and were not to be allowed to draw attention to any great questions of public interest that might come before the House. Should any question connected with foreign policy arise during this next week, by this Resolution, as he understood it, hon. Members would be precluded from drawing attention to the subject by moving the Adjournment of the House; therefore, he said, they rested under an undue disability in this matter. He wished to tell the House what he believed to be the position of those Members on the Unionist side with whom it was his honour to act. He believed they desired in a Constitutional manner to defeat the measure; but, at the same time, they desired, if possible, to improve it, because he would be a bold man who, in the present condition of Parties, would say it was

not possible that the Bill might in some form yet become law; and, that being so, he claimed for those who sat around him that they had done their best, by the Amendments which they had placed on the Paper, to improve it—that was, to render it workable should it, unfortunately, be placed on the Statute Book. To restrict discussion in that House was the most dangerous policy that could be brought forward, because there was no substitute for the Debates in Parliament. Neither platform speeches nor any kind of meeting could act as a substitute for occasions upon which a man addressing the House could ask questions of Ministers and be then and there answered; and, in his opinion, it would be a fatal blow to the security of the United Kingdom when the gag was placed upon such Debates. The hon. Member for Bedford (Mr. S. Whitbread), whom he was sorry not to see in his place, made a statement which he (Mr. Thornton) did not agree with, “that there was a decided mandate at the last Election for Home Rule.” He could quite understand that the hon. Member for Bedford fought out the question of Home Rule in his own constituency, to which he was closely tethered during the late severe contest, and clearly did not learn what was the case in other constituencies. He himself could not lay claim to any particular knowledge on the subject in other parts of the country; but in South-West London he unhesitatingly declared there was no mandate there for Home Rule at the last Election. [*Cries of “Oh, oh!”*] Hon. Gentlemen said, “Oh, oh!” but he would give his reasons for making the statement. In his constituency, and those immediately surrounding his, the Conservative and Unionist candidates brought the question of Home Rule before the constituencies; but their opponents did nothing of the kind, and he maintained that to bring the question properly before the constituencies it must be done by both Parties. For 18 months their opponents never mentioned Home Rule, which stalked ghost-like amidst the feast of measures mentioned in the Newcastle Programme. He had told the hon. Member for Battersea (Mr. J. Burns) that he had neither mandate to support Home Rule or the gag in that portion of Battersea he represented, and

had warned him of an intention to state this in the House of Commons. It had been said during the Debate that the present Bill had been fully discussed. He denied that it had been discussed anything like fully. In this Bill, undiscussed at this moment, was the principle of One Man One Vote, which had been smuggled in at the end of the 6th clause. There was the new settlement of the Irish Constitution, and there was the question of a settlement of a crisis when the two Houses differed; and the details as to finance, which were not yet understood by the English people. That being so, it was clear the Bill had not been fully discussed. Then there was that most important question as to the Exchequer Judges, who were to have power to enable military forces to go into Ireland. That, again, was a question which had not been fully discussed. An unfortunate feeling had been engendered by the proceedings of the Government in shortening their Debates. If there was one matter more important than another, it was that whatever their political feelings might be they should keep up friendly relations between various parts of the House. That unfortunate scene which occurred in the House the other day—which everyone must regret who honoured the past history and traditions of the English Parliament—might be said to have taken its origin from the effects of these measures for gagging Parliament. If that spirit of compromise which had hitherto dominated the English Parliament were to be absent, they should not be so successful in their deliberations in the future as they had been in the past. In his opinion, they had to go back to the sixth year of the Stuarts to find a counterpart to the present situation. At that time freedom of speech was denied by the Forms of the House, and the Speaker had to state that he could not allow the question of tonnage and poundage and consequent arbitrary taxation to be discussed in that House. Speaking of the First Remonstrance of 1629, when free speech was suppressed, Greene, the historian, said—

“The breach of their privilege of free speech produced a scene in the Commons such as St. Stephen's had never witnessed before. Eliot (the proposer) sat abruptly down amidst the solemn silence of the House. Then appeared such a spectacle of passions as the like had seldom been seen in such an Assembly.”

*Mr. Thornton*

Commenting on this, Lord Macaulay said—

“It was not yet understood, even by the most enlightened men, that the liberty of discussion is the greatest safeguard of all other liberties.”

Had the Secretary for Scotland been present he would have appreciated the words of his illustrious relative. Those liberties to which Macaulay referred were defended in the next few years by the historic names of Eliot, Pym, and Hampden. It was his honest belief, from what he had seen in that House, that if the Government did not desist from the course they were pursuing, the principles for which Pym struggled and Hampden died would be seriously imperilled. It was a relief to him to know that around him sat honest and devoted lovers of their country who were striving against this autocratic rule. They would not allow one man to dominate and act the autocrat over this country. He could not forget that the Remonstrance of 1629 was followed by the Petition of Rights, and in the same way he believed that this attempt to closure the House of Commons would be followed by an uprising of the English people which would drive from power one of the most dangerous Administrations that had ever ruled over these islands.

\*MR. T. H. BOLTON (St. Pancras, N.) said, the Prime Minister had told them that he proposed these Resolutions from the iron chain of consequence. That was to say, having carried his Closure Resolution with reference to the Committee stage, he followed that up with a Closure Resolution with reference to the Report stage, and probably there would be a similar Closure Resolution in reference to the Third Reading. By-and-bye they might have Closure Resolutions with reference to Supply, and the great principle which that House had asserted continuously through centuries, of having grievances redressed before money was voted, would be seriously impaired. He agreed with the right hon. Gentleman it was the iron chain of consequence—a chain of consequence most lamentably and deeply to be deplored, and it must be subject of great regret to all who valued the right hon. Gentleman's reputation as a great statesman that he had found it necessary in connection with this measure to restrict the



freedom of Debate in that House. Was there, he asked, any necessity for this arbitrary course in dealing with this measure? The Member for Donegal had made the candid admission that the Home Rule measure was only one of the measures which this Government was charged with and had a mandate upon, and that other measures would occupy the attention of this Parliament. Now, if there was any mandate, it was a mandate to give some measure of enlarged local government only to Ireland and to carry certain other measures of importance to the people of Scotland, Wales, and England. There was no mandate to put a measure of this character, far too large—unnecessarily large—in its scope, full of contentious provisions, containing within it perhaps 20 Bills—to put such a measure to the front and force it through at all hazards and under all circumstances in this Session of Parliament. There was no mandate to force it through in the way in which it was being forced through. The people of this country supposed that the Prime Minister would have acquired wisdom from the result of the Election of 1886, and from such discussions as there had been in the country with reference to this question, and would have brought in a measure acceptable to the House, instead of bringing in a measure of this extreme character, containing provisions of such a scope that he could not hope to pass it without exhaustive Debate, not merely in the House, but in the country, and after another General Election. The Speaker had advised that the matters which had been considered in Committee should not be discussed very fully on this Report stage, and that preference might be given to subjects that had not been considered in Committee. He asked the House whether that advice had not been cheerfully observed? In the discussions that had taken place—except on two or three occasions when the subject had not been adequately discussed, or when some new light had been thrown upon it, and when some concession from the Government might be expected and hoped for—subjects which had been discussed in Committee were not revived and re-discussed. Yet now they were to be closed, and subjects that had not been discussed at all were to be taken in the order in which they stood

upon the Paper, and without Debate disposed of, the result of which would be that matters of the very greatest consequence would be guillotined next Friday, and they would not have had any opportunity whatever of considering them. Take, for instance, the question of the police in Ireland. That question was only discussed in certain of its bearings. The necessity of putting an end to the police in an arbitrary way within six years had not been considered and discussed. The question whether some scheme might not be adopted by which the police should be allowed to gradually die out, or be adapted and worked into a system of local government in Ireland, had not been considered, and the result would be they would either have to do a great injustice to a very large number of men by disbanding them on the terms of the insufficient superannuation provided by this Bill, or else they would have to enlarge the scope of it and create a pension list, which would be an enormous infliction on the British and Irish Exchequers. That question had not been at all considered or discussed. Then, again, the question of the land had only been incidentally, and he might say accidentally, discussed. The great Land Question, which after all was, perhaps, the most important of the subjects which constituted the Irish difficulty, had not been considered in its largest bearing. It had only been accidentally and incidentally considered, through the chance of a proposed new clause or Amendment. The constitution of the Irish Legislature, its powers, and the way in which differences between the two branches should be settled—all these were questions which had not been discussed at all, or else only within a very limited degree upon some Amendment. The large question of the Judiciary had not been discussed at all. He understood the Chancellor of the Duchy (Mr. Bryce) to say that it was intended to give a right of direct appeal to some Judicial Tribunal against any arbitrary or oppressive action of the Irish Executive or against the non-acts of the Irish Legislature, for that he also understood that some Amendment might possibly be made to that effect, but that there had been no opportunity of disc-

matter. He (Mr. Bolton) took advantage of a casual perfunctory sort of discussion that took place to ask the right hon. Gentleman whether an individual Irish citizen would have the same right to assert any grievances that an individual in the United States had, and a similar right of appeal to a Judicial Tribunal, and he understood the right hon. Gentleman to say it was the intention of the Government that this should be so. But if they looked at the Bill they found nothing of the kind. There was a sort of Judiciary independent of Irish control. That was to say, two of the Irish Judges were set apart to do certain judicial business relating to matters excepted from the control of the Irish Legislature. That, however, was not the creation of such a Judiciary as was necessary. What was wanted was an authoritative Judicial Body in Ireland capable of dealing with Constitutional questions, and they had had no opportunity of pointing out that these two Exchequer Judges would be utterly insufficient to deal with these Constitutional questions. He put down a new clause proposing to create two Imperial Judges. The Speaker pointed out that that might properly come in as an Amendment, and in deference to that opinion he transformed his new clause into an Amendment. The result now would be that there would be no opportunity whatever of discussing that proposition. It might be that his proposition was one which would not commend itself to the judgment of the House. Granted, for the sake of argument, that such was the case, at all events he had the right, as a Member of Parliament, to propose an Amendment of that kind. If they deprived individual Members of the opportunity of attempting amendment in this Bill, they deprived them of one of the most important of the rights they possessed as Members of Parliament, and very seriously impaired their usefulness in that Assembly. It could not be said that he personally had trespassed at length or with frequency on the House on this

"Theor, in fact, on any other question produced. He had made it a rule to speak Stephen's in he had something to say, and (the propose, it in as few words as possible. solemn silence such a spectacle of an Imperial Judiciary seldom been admitted to be a proposal of far-

reaching consequence. It was no good whatever to make declarations as to people's rights unless they gave them the machinery by which those rights could be enforced, and this Bill contained machinery so inefficient to protect individual rights in Ireland that it would only be necessary for them to have the opportunity of pointing out the inefficiency of the proposed machinery to clearly show the necessity for alteration. These were large and important matters which they had not had, and would not now have, the opportunity of discussing. They would not even have the opportunity of asking the House, without discussion, to express an opinion on their Amendments, because only Government Amendments were to be put to the vote. It was said that the Resolutions proposed by gentlemen opposite, who constituted the Government in 1887, were the precedent for this Resolution, but he would point out that the Government of 1887 did give the House an opportunity of expressing an opinion on all the various Amendments on the Paper. He asked why did the Government not select the more important of the Amendments and give the House an opportunity of considering them? They adopted a course which had the practical effect of shutting out a large number of subjects which were not discussed at all, and of preventing the discussion of subjects on which it was absolutely necessary discussion should take place. [*Laughter.*] The right hon. Gentleman on the Front Bench might laugh at the criticism he was making, but to laugh and make a matter of joke of a most important proposition of this kind, muzzling the House of Commons and preventing discussion, was not a course which was calculated to recommend the Government to the intelligent people of this country. If these Resolutions were necessary the Government should pass them under a sense of responsibility and with regret, and not with recklessness, levity, and indifference. He did not admit that because a Conservative Government in 1887 passed a Gagging Resolution—which the Members of the present Government protested against vehemently, and which the Irish Members protested against with even greater vehemence—because that Government did wrong in

*Mr. T. H. Bolton*

1887, that was justification for this Government doing wrong also. He should have supposed this Liberal Government would have been delighted to have an opportunity of giving effect to the views which they expressed in 1887, and to show that they were not going to follow vicious precedents and to gag the House of Commons in dealing with this far greater and far more important subject. The Bill of 1887 was an important Bill. He did not underrate the importance of that measure; but, after all, hon. Members opposite must admit that there was really but one provision in that Bill, and that it was one Bill, whereas this was a number of Bills. He would quote what a faithful supporter of the Government—the hon. Member for Northampton (Mr. Labouchere)—said of this Home Rule Bill and of the former Closing Resolution. In the recent address to his constituents, that hon. Gentleman, who aspired to be a right hon. Gentleman, and who probably might be a right hon. Gentleman in some Radical Government of the future, said—

“The Bill alters the organic relations between Great Britain and Ireland. Most of its clauses are highly contentious in their character; many, indeed, under ordinary circumstances, would constitute a Bill of themselves, and to have passed these without any opportunity of debate was a doubtful innovation in Parliamentary procedure, and one for which I voted with considerable hesitation.”

He did not see why the hon. Member to whom he alluded did not go into the Lobby with other independent Members to protest against the action of the Government. As far as he (Mr. Bolton) could see, this action of the Government was unjustifiable. If there was difficulty in getting the Bill through, it was difficulty caused by the Government themselves. If they had intended to make this Bill the one great measure of the Session, why did they occupy weeks at the beginning of the Session in making a pretence of dealing with other large matters? Why did they not call Parliament together early, and make up their minds to pass one Bill before dealing with another? This Bill was not, in its present changed condition, the Bill they brought into the House. In five or six principal features it differed from the Bill as introduced. Many of them thought when the Government

brought in their Bill they intended to stand by it in all its main provisions. If they had done so, much delay and discussion would have been avoided, and they would not now probably be discussing Gagging Resolutions. But what necessity was there? Had the country made up its mind as to the Bill now before the House? Did not every communication show that there was no disposition to take this Bill? Could anyone say that there was any strong feeling in favour of the Bill? Were not many friends of the Government very cool with regard to it? Were there not sections of the Liberal Party dissatisfied with it? Did they suppose for a moment that the Welsh Members cared for it except to get the Irish vote on Welsh questions? Was not the Temperance Party influenced by a similar object? Did the agricultural labourers care anything about it? And was the Labour Party content to postpone all labour questions to this Bill? In fact, the whole difficulty the Government had brought upon themselves, and now they were creating a further difficulty by gagging the House of Commons. This was a proceeding which was unfair and discreditable to the Government, and it was deplorable that the Leader of the House—the foremost Parliamentarian of these times—should, through Party expediency, attempt to gag the minority, almost equal to his own majority, with regard to a Bill which was unsatisfactory to the House and to the country at large.

\*MR. GIBSON BOWLES (Lynn Regis) said, they had a high Constitutional question before the House; but it was difficult not to feel the extreme unreality of the Debate that had been conducted upon it. Unreal it was, because no argument, however strong or irresistible, was likely to make any impression on hon. Gentlemen opposite. Nothing concerning the dignity of the House would have the slightest effect upon them, because they were pledged to follow the Prime Minister and his colleagues. The Debate was unreal, because the matter was decided beforehand. So that anything they might say would not prevent hon. Gentlemen opposite from voting for the proposal of the Government now before the House. He could wish that hon. Gentlemen opposite would give a little time to the Prime Minister and his

colleagues. They had changed before, and they would change again. Their Bill had changed many times. Indeed, it reminded him of the Woman of Samaria. The Prime Minister had had many Bills, and this was not his Bill. In fact, it was partly the Opposition's Bill. One-half of the part of the Bill they had discussed was composed of their Amendments. There was scarcely a line that had not been found capable of amendment. There was not a discussed clause that had not received amendment, and that with the full assent of the Government, who, having a majority, could have rejected any Amendment they chose, but who preferred to accept the Amendments. Having done that, he said the Amendments they had accepted must have been accepted because they were fairly moved in order to complete the Bill. They were now called upon, absolutely and entirely, to shut out every other Amendment, of whatever kind it might be, except those proposed by the Government. They were told this was to give effect to the will of the majority, but there were Amendments put down by Members of the majority; but even the most prominent Members of the majority were now to be shut out, not merely from moving Amendments, but from voting upon them, or having them considered at all. In one of the most eloquent speeches of the Prime Minister, he told them that all the Members of the House were equal. He believed that to be one of the principles which the right hon. Gentleman used to believe, but which he had now renounced. But, if that were so, what became of these Amendments? How could they leave it open to exclude all Amendments whatever proposed by Members of the House, except those emanating from the Prime Minister himself? Were all wisdom and knowledge concentrated in him? Why should they debate any question at all? Why go through this idle form? Why not bring forward a Resolution declaring that all the proposals of the Prime Minister should *ipso facto* have the force of law? That was almost what this proposal amounted to, and what he suggested would be as reasonable as this proposal. What was it meant to do? It was said that this proposal was brought forward to give effect to the voice of the majority—the majority for the moment; but in that

majority there were 36 paid Members of the Government, who took £80,000 a year in salaries—who were paid to vote—and it seemed to him that there was a great difference between the majority and the minority, and that they were not, as the Prime Minister said, equal. The proposal of the Prime Minister was the crowning insult to the House. On the 30th March the right hon. Gentleman took every Parliamentary day, and robbed them of their time. On the 29th of June he put his precious Bill into water-tight compartments, and robbed them of their speech, and now he wished to rob them of their votes. Though the fate of this Resolution was certain that evening, it was not the end of the question. If the House agreed to this Resolution there was an end for ever of the House of Commons. He did not know how it was to exist. Let them go to their constituents, and not keep up this idle mockery. The vital portion of the House of Commons was liberty of speech. It was that principle—for all purposes of Imperial and National importance—which had created, not only the House, but even the Prime Minister himself, and without it the House of Commons practically truly ceased to exist. Yet that was the liberty of which they were to be deprived. Twice before this liberty had been attacked. Three hundred years ago a Tudor Sovereign, Queen Elizabeth, on a former Speaker claiming liberty of speech, replied that it was granted, but that it was—

“Not a liberty for everyone to speak what he listeth and what entereth in his brain to utter; that privilege extended no further than the liberty of Aye or No.”

The liberty was not to be extended even so far as that by the Prime Minister. Another attempt was made later against the liberty of Parliament, when an armed body of men entered the House of Commons, removed the Mace, and purged the House. It seemed to him (Mr. Gibson Bowles) that the proceedings to-night united the violence of both without the courage of either of those courses. A new Tudor and a new Pride had arisen on the Treasury Bench; but the method adopted was that of the midnight footpad, of the Gladstone garotte, which not merely silenced but strangled at the same time. The Prime Minister owed everything to the liberty of speech in the House of

*Mr. Gibson Bowles*



Commons, amid whose traditions the right hon. Gentleman had been nourished and reared—traditions which he had maintained until he adopted Home Rule; but, strange to say, it was, he of all others who now turned to thrust the dagger into the breast of his own mother. They would pass through the Caudine forks, but the reputation of the right hon. Gentleman would pass with them. The country would judge him. The historian would say that here was a Minister who had been reared amid the traditions of that House who was now about to destroy them, and to destroy along with them the liberty which the country held most dear.

MR. JESSE COLLINGS (Birmingham, Bordesley) said, the only reason they had for discussing this proposal was to inform the country of what was taking place. When they remembered the traditions of that Parliament, by the fact that the British people enjoyed liberty of speech in Parliament for so long—and that no man had gained more of that than the Prime Minister himself—they were apt to look upon the privilege as one that could not be taken from them, and they could not be surprised that the Prime Minister, of all men, should endeavour so to degrade that House. He could fancy that Members opposite on the Irish Benches were enjoying their retaliation for the Prime Minister's conduct in 1881 and 1882, by compelling him to be the instrument to degrade this Parliament. But the people must not forget the price which had been paid for the privilege, nor the long struggle which had been waged to obtain this liberty; and it would be their duty to rouse up the people, not by frivolous talk, but to enlighten them on the dangers that were around them. Once roused, they would make short work of those who touched their liberties. If this Resolution were approved by the people, the great privilege of the redress of grievances would soon become a thing of the past. He ventured to say that no tyranny equal to the present attempt of the Prime Minister had been practised on the English people since the time of Charles I., and no Minister had endeavoured to betray the rights of the people in this way since the days of Strafford. Strafford was punished in the manner peculiar to his day, and the Prime Minister would undoubtedly re-

ceive the reward peculiar to these modern days—dismissal from the service of the people at the first opportunity that offered. The Prime Minister in 1886 thought that the Liberal Party was made for him, and not he for the Liberal Party, and he strangled and destroyed it. His idea now was that Parliament was his servant, and not he the servant of Parliament. He (Mr. Jesse Collings) could not help remembering the danger that the right hon. Gentleman described in 1885. It was instructive at the present moment. He told them of the danger it would be to the Empire and to the country if they were obliged to act with the Irish majority; but now he was bringing an Irish majority there to control them. They had no alternative but to do this. They knew how they had attained to power in 1892. They advocated anything for the sake of votes. They were willing the Irish Members should have everything so that the Government got into power. On the other side, to the Liberal Members, they issued a number of promissory notes, which were now becoming due. These were necessary for the purpose of getting votes. They must act in some way to get out of the desperate position that they were now in. They could not put off the Irish Members; but they must get this Bill out of the way. Every day and hour that the Bill was discussed showed its rottenness. The Government were like desperate gamblers doubling their stakes as the luck went against them, and putting off the evil day when they would have to account to those whom they had betrayed. They were told that after the Government had got this Bill out of the way they would try to pass other measures, and then go to the country on false issues—the issues of the House of Lords and the Newcastle Programme. Well, the country had been deceived once, and he did not think the people of Great Britain would allow themselves to stumble twice over the same stones. They had the Bill before them now, and were familiar with its provisions. The hon. Member for Bedford (Mr. S. Whitbread) had referred to the feeling in regard to Home Rule in the villages, and had asked that the Unionists should tell “the whole truth” on the matter. He could assure the hon. Gentleman that it

would be sufficient for the Unionists to tell the country a tenth part of the truth about the Bill, and to lay before them the 9th clause alone. They would, however, tell the whole truth, because there was a monotony of iniquity in the Bill. The whole Bill and the methods by which it was sought to pass it were disgraceful, and unworthy of any British Government. When the hon. Member for Bedford stated that the meaning of Home Rule had been made clear to the villagers, he (Mr. Collings) would remind him that at the meeting in the Memorial Hall, at which the representatives of the agricultural labourers were present, the Prime Minister in his address had not said one word about Home Rule, but had only spoken about village reforms and other matters in which they were interested. Was that the way to explain to the villagers the meaning of Home Rule? It was bad enough to deceive one's peers, who had equal advantages with one's self for knowing the truth; but it was far worse to obtain the votes of the humblest class of men by methods which concealed the true objects to which the votes were to be put. The hon. Member for Bedford had spoken about the Home Rule Bill and its principles being perfectly understood at the last General Election. But at that Election nobody knew what the Bill was, except the Prime Minister and perhaps another on the Front Ministerial Bench, and certain Irish Members who had met together to barter away the liberties of Great Britain. How could that be placed before the country which nobody knew about? Even when the Bill was introduced the form which it would ultimately take was not known, for the House was now discussing a new Bill. None of the constituencies knew it until the election at Hereford the other day, and what happened there would also take place in other constituencies throughout the country when the Bill was explained to them, as it would be. The whole truth would be told to the constituencies, and he ventured to say that it would tell in favour of the Unionist cause. There had been something said about obstruction. The hon. Member for Bedford had said that the Bill had been discussed for 80 days. Well, it should be explained what 80 days meant. It seemed a long time, but

*Mr. Jesse Collings*

a week's discussion barely amounted to 30 hours, or about six hours a day. The discussion of an ordinary Bill was one thing, but the discussion of a measure to upset the relations of the different parts of the United Kingdom was quite another. Take the 3rd clause alone. It would not be disputed that that clause alone contained what was equal to a dozen Bills. The clause which gave the Irish Parliament the right to destroy the writ of habeas corpus was dealt with in a few hours—he thought about four. The Common Law rights of protection to the minority were abolished after about five hours' discussion. The whole education of Ireland, upon which hon. Members set such store in 1870, was practically given into the hands of hon. Gentlemen opposite after only a few hours' discussion. The Chief Secretary was one of those who opposed the 25th clause of the Education Bill, because, as he said, it might endanger the unsectarian education in Ireland, and yet the right hon. Gentleman had voted with cheerfulness for the provisions in the Bill which handed over education to the Irish Parliament.

**MR. J. MORLEY:** The Committee did not divide.

**MR. JESSE COLLINGS** said, that if the right hon. Gentleman referred to the Debates he would find that there were more occasions than one on which the principle of non-sectarian education was raised, and on which Divisions were taken. His right hon. Friend should at least be silent in respect for that splendid paragraph of his in a book on *National Education in England*, where he said that every other nation in Europe was striving to curtail the priestly power, and it was reserved for England to take a different course, and to extend that power. The right hon. Gentleman in the same book even passionately condemned the conduct of the Liberal Government for refusing to listen to the aspirations for religious freedom of the English people, and for handing over education in Ireland to the priesthood. Let the right hon. Gentleman read the words he then uttered, and now endeavour to justify them—now that he was betraying the interests of the loyal minority in Ireland. The 9th clause the Prime Minister admitted he had had up his sleeve, and for days refused to allow himself to be be-

trayed into a revelation of it. Betrayed into a revelation of it! Not allow the British public to know what it was they were to support. It was only about six hours before the Gagging Resolution came into operation that it was decided to hand over the practical control of the Imperial Parliament to the Irish Members. Was six hours' discussion sufficient for such a proposition deliberately sprung upon the House and the country? He ventured to say that the 9th clause would have to be examined, and the Prime Minister and every other Minister would have reason to remember that clause. Instead of bringing a vague charge of obstruction, why did not hon. Members put their fingers on the particular portion of the Bill which had been obstructed? If they would go through the Bill clause by clause, though one or two might seem of small importance, and might seem to have had more discussion than they deserved—owing to the long speeches of Members of the Government and their supporters—he would undertake to say that no clause and no Amendment had had anything like the discussion which its importance warranted. If the Gagging Resolution had been imposed before the Financial Clauses had come on for discussion, all the atrocious blunders of that clause would have gone into the Bill without correction. The right hon. Gentleman the Member for East Wolverhampton (Mr. H. H. Fowler) had said that no Home Rule Bill ought to be rushed through the House. Probably the right hon. Gentleman had changed his mind.

MR. H. H. FOWLER: Oh, no.

MR. JESSE COLLINGS: Oh, yes; for the right hon. Gentleman could not call the discussion on the clauses he had described anything like obstruction.

MR. H. H. FOWLER: The Bill has been 80 days under discussion.

MR. JESSE COLLINGS: What was done in the 80 days. Was not the 9th clause rushed through the House? Were not the Financial Clauses?

MR. H. H. FOWLER: The Financial Clauses had nearly a week's discussion

MR. JESSE COLLINGS said, they had taken about 30 hours to discuss taxing the people of Great Britain to the tune of £2,000,000 a year. Was not the question of education rushed through the House. It was all very well to take refuge in generalities and empty platitudes, but an examination of the clauses and Amendments line by line would show that there had been no unnecessary debating. The fact was that the Government had not a leg to stand on to support their allegation as to obstruction. If there were any ground for the charge of obstruction, the Government knew that they could not have a better cry with which to go to the country. They had the game in their hands. The people would not permit the obstruction of measures on which they had set their hearts; then let the Government dissolve and go to the country. The opportunity was one which they would grasp immediately if they believed in their own statements. The hon. Member for Bedford ridiculed what was called "the British majority." The hon. Member could not understand what was meant by it. He (Mr. Jesse Collings) supposed the Union was brought about by an agreement between Great Britain and Ireland. [*Cries of "No!"*] They were both parties to it. The House had heard a great deal about the blackguardism of Pitt in this matter; but it was to be hoped that they would hear no more on the subject after to-night. Of course, it was said that the Union was brought about by corruption which assumed the form of money bribes. But the agreement that was now being attempted to be carried into effect had been based on the corruption, not of the promise of money, but of the promise of measures. As he had said, there were two parties to the Union—namely, Great Britain and Ireland. They heard it on every platform now-a-days that Home Rule was to be given to Ireland because Ireland wanted it; but there were two parties to the partnership. It was not sufficient to assert that the majority of the Representatives of Ireland desired to put an end to the partnership. The majority of the

British people must desire the severance, else how could it be brought about. And they saw that the majority of the Representatives of Great Britain continually voted in favour of the Amendments resisted by the Government. The British Representatives had a right to be heard. It was an outrage to attempt to stifle discussion on this Bill by those Representatives. This was a very serious night indeed, which would arouse serious thoughts in the minds of every politician in the country. This country, like all other countries, would go down some day or another; but it would be exceedingly mean if it were allowed to go down at the hands of the Irish Members who had succeeded in capturing the Prime Minister, and in getting him to join them in the betrayal. The duty of the Unionist Party, at any rate, was clear. In the first place, they had to place before the country the true meaning of this Gagging Resolution, and to dispute altogether the reasons advanced by the Government. In the next place, it was their duty to do their best to free the country from the policy which the worst possible Government of the country was endeavouring to give effect to.

\*SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, there was only one part of the speech of the right hon. Gentleman who had just sat down with which he would venture to disagree, and it was the one in which the right hon. Gentleman compared the Prime Minister with Strafford. He must protest against the comparison as unfair to Strafford. They had had a very interesting speech in the earlier part of the evening from the hon. Member for Bedford (Mr. S. Whitbread.) The hon. Gentleman always appeared on the scene at the moment when the Government, of which he was a valued and valuable supporter, was in dire straits. It might be said of him that he acted as an old Parliamentary "bouquet." That night he had played his accustomed rôle with even more than his accustomed skill. He dwelt upon two points chiefly. He told them that the Prime Minister was doing what had been done by the Conservative Government in 1887, and he expressed his inability to

understand what was meant by "the British majority." The hon. Gentleman, if he sought again the suffrages of the electors of Bedford, would learn perfectly well what the British majority meant, because he would find that the electors of that ancient English borough would not return to Parliament a gentleman who had voted in favour of the Irish gag. [*Cries of "Order!"*] The inconsistency and absurdity of the argument of the hon. Gentleman as to the "British majority" were sufficiently exposed by the late Chancellor of the Exchequer. He would only say that for a follower of the present Government to deny the right of the Unionists to appeal to the feelings of the majority of the people of England and Scotland, when the sole basis on which the Prime Minister founds his Home Rule Bill was that they had in its favour a majority of the people of Ireland, was a paradox so complete and so utter that it hardly required refutation. The other argument of the right hon. Gentleman was that the Tories adopted the same course in 1887. But no one knew better than the hon. Gentleman that there was no comparison between the present Bill and the Bill of 1887. Every detail of the so-called Coercion Bill was thoroughly familiar to the House and the country. Every item of it had been discussed over and over again in the House. The Prime Minister had himself, in 1881 and 1882, introduced and passed Bills in the House which contained every detail of the Bill of 1887, and many additional and much more drastic details as well. [Mr. W. E. GLADSTONE dissented.] The Prime Minister shook his head, but they knew that at present no value was to be attached to these movements or gesticulations of the right hon. Gentleman. [*Cries of "Oh, oh!"*] He did not know what the Chancellor of the Exchequer meant by saying "Oh." What he (Sir E. Ashmead-Bartlett) meant was that the Prime Minister constantly in the House denied or affirmed things to which, if he had devoted the great resources of his memory at the moment more closely, he would have been unwilling to deny or to affirm them. [*Cries of "Oh!"*] He would repeat, for the Prime Minister's benefit, that his Bill of 1881 and his Bill of 1882 con-

*Mr. Jesse Collings*



tained far more drastic provisions than those which were contained in the Bill of 1887.

MR. J. MORLEY : The Bill of 1887 was permanent.

SIR E. ASHMEAD-BARTLETT : Just notice the miserable resort to which the Chief Secretary was driven. He did not mention a practical detail of the Bill. The Chief Secretary laid stress upon one fact, that the Bill of 1887 was not for a limited period. The Chief Secretary knew perfectly well that any Bill, whether for a limited or unlimited period, could be repealed by Parliament; and if the Government felt so strongly on that particular detail why did not they repeal the Bill?

MR. J. MORLEY : We have dropped it.

SIR E. ASHMEAD-BARTLETT : Quite so, and here was the Chief Secretary answering himself. He had given the right Gentleman credit for being, at all events, more or less of a superficial logician. [*Cries of "Order!"*] But he was not even superficial, for in one breath he reproached them for having made the Bill permanent, and in the next he told them the Government had been able to get rid of it by dropping it, thereby entirely destroying his own argument. The Government had proposed for the second time this measure of permanent or complete Closure—this gag—this guillotine. And why? Not from any great consideration of policy. There was absolutely no question of policy involved. They had not themselves proposed that the Bill should come into operation before September, 1894. That was to say, they had still 12 months before the Bill must become law. Therefore, there was no absolute necessity, such as existed in 1887, for restoring order in Ireland, and preventing crimes which rendered the life of peaceful and loyal citizens intolerable. The proposal of the Government was based absolutely on Party considerations. It was no secret that the Prime Minister was himself coerced into adopting this

policy. [*A laugh.*] The Prime Minister now smiled at the suggestion, but a very few weeks ago he did not smile, and could not have brought himself to smile. The Prime Minister proposed this gag, in the first place, against his better taste and judgment, and he was driven into it by the Radical wire-pullers and manipulators of his Party. The gag had been introduced because the Government found it impossible without it to carry any important measure of British reform in the same Session in which they brought forward this Irish revolutionary measure. That was a partizan motive. The measure now before the House was not a single Bill—it was a hundred Bills—it was a thousand Bills rolled into one. [*A laugh.*] He recommended the right hon. Member for Brightside (Mr. Mundella), who laughed, to read the Bill. He very much doubted if the right hon. Gentleman had read it hitherto. If he read the Bill he would find it embraced a large number of details which, in ordinary times, would occupy many hundred Bills. He would mention one instance. The law of habeas corpus—a subject which had exercised the ingenuity and patriotism of generations of British statesmen—was dismissed after two or three hours' Debate. It was a portion of a sub-section of a single clause, and it had been discussed in two or three hours. The Bill, in fact, dealt with the whole administration of Ireland, and with the relations of Ireland to the United Kingdom. Under what circumstances was it proposed to gag this Bill? The whole financial basis of the Bill had been three times reconstructed. The latest reconstruction only took place a short week before the gag, and the Debate upon it was limited to the first six lines of the first of the clauses. The result of the financial scheme which was closed in this way was that in future the people of England and Scotland were to pay 35s. a head towards Imperial taxation, and the people of Ireland only 6s. 6d. It was not surprising that the Government were anxious to close the Bill. Then, again, with regard to Clause 9, the Prime Minister had told the House over and over again that the Government intended to adhere to the in-and-out scheme. The Government changed their whole front upon that

clause, and decided to allow the Irish Members to be present to discuss and to obstruct every question that came before the Imperial Parliament. This measure had been well described as a gag upon the people of Great Britain. It was an attempt to stifle and destroy the voice and the vote of the Representatives of the majority of England and Scotland by the operation of the small Irish majority of the Government. It was a very striking fact, and one worth recalling, that in the final Divisions which took place upon the former application of the gag the majority of English Members who voted against the gag was 77, and if they added the Scotch Members to the English Members the majority was 56; and, adding the Welsh Members as well, the total British majority against the application of the gag was 34. These facts would be remembered by the people of this country, and he was certain that when the decision of the electors came to be given upon the policy of the Government an enormous English majority would be returned against the present Prime Minister (Mr. W. E. Gladstone). The Prime Minister had said that he thought no race was in greater need of discipline than the English people. Well, the right hon. Gentleman had proceeded to apply the discipline. He had undertaken to break up the Union, to dismember the Empire, to undo the work of a thousand years. It was a little more than a thousand years since England was united into one land, and the process of unification and consolidation which the Government was now going to break up had been going on ever since. The Prime Minister was not only going to undo this great work, but he was going to make the British people pay for it. The sooner the appeal was made to the people the better, and he was confident that when it was made the Separation policy of the Government would be entirely and overwhelmingly reversed.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): The speech to which we have just listened is a sufficient symptom that the Debate is exhausted. I do not think the Government have any reason to complain of this Debate, or of the Amendment

*Sir E. Ashmead-Bartlett*

which has been moved to the Resolution of the Government. I have always observed, with some gratitude, that from the Liberal Unionist Benches the most valuable assistance frequently comes to the Government. The Liberal Unionist Members manage to frame their Amendments in such a way that they have given to this Administration, in the course of the present Session, a greater number of Votes of Confidence than any Government of modern times has ever received. As to the speech of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), we have always recognised that his speeches have the peculiar effect of rallying and uniting the Liberal Party, which is hardly to be found in the speeches coming from any other source. The violent injustices of his language, his exaggerated virulence, and his personal rancour towards the Leader of the Liberal Party have an effect upon that Party which they gratefully recognise. It was said of a man that one blast upon his bugle-horn was worth a thousand men; but one blast upon the horn of the right hon. Gentleman is worth many votes. I think my hon. Friend the Member for Bedford (Mr. S. Whitbread) has already disposed of the Amendment and its Mover, and I do not think it necessary to add much to the Debate. I quite agree that in a question of this kind every case must stand upon its own merits; it is not sufficient to be governed simply by precedent on occasions of this character. Therefore, I do not wish carefully to inquire whether one case is absolutely upon all-fours with another. But, Sir, the right hon. Gentleman opposite cannot get rid of the precedent of 1887 so easily as that. It is not merely by alleging that the cases are different that they can be disposed of. The importance of the precedent of 1887 was that it introduced for the first time the principle of the Time Closure in the House of Commons—that is to say, of fixing a particular time by which a Bill should be passed through the House. Of course, that was a proceeding which was very inconsistent with all the former practice and traditions of the House of Commons, and it formed in itself a very important precedent. It broke the ice which had remained there—I will not say for a thousand years, but for a very

long time ; it was the letting out of the water on the subject of the Closure. Gentlemen opposite sometimes pay me the undeserved compliment of quoting my former speeches. It rather wounds my vanity that they have omitted the speech which I made on that particular proposal, because I rather plume myself upon the prediction I made upon that occasion. I ventured to point out to the House in 1887 that the probability—and, indeed, the necessary consequence of the step the House was then taking—was that, as always happens, especially in the English House of Commons, where precedents are followed, that it would be pursued, and particularly with regard to the coming Home Rule Bill. From that point of view I rather welcomed the precedent of 1887, and I do not think I protested against it. I certainly did not vote against it. Of course, you thought your Bill a good Bill, and we thought it a bad one. Well, that generally takes place between the opposite sides of the House, and now we think our Bill a good Bill. [*Opposition cries of "Oh!"*] But you do not apparently have the same toleration for the promotion of our Bill as we had for the promotion of yours. Your Bill represented your Irish policy ; it was the policy of coercion. You used what you now call the "gag" for the purpose of carrying the policy of coercion. We have proposed what we regard as a policy of conciliation, and we propose to take a similar form and method to promote the policy which we have proposed. Well, then, the only real question in this matter is—Has there been a reasonable time, in the opinion of reasonable men, given for the discussion of this Bill? Upon that point the country will form its opinion. After all the other Party issues have been disposed of the question will be—Has there, or has there not, been a reasonable time given for the discussion of this measure? In my opinion, everything else in this Debate is beside the question. At all events, *primâ facie* we are able to say we have given 80 days for the discussion of this question, and that, I understand, is double the time that has ever been given to any measure brought under the consideration of the House of Commons. I venture to say that, under these circumstances, the

onus of proof lies upon those who say that a reasonable time has not been given. It is asked—Where is the unreasonableness of the time we have taken in the discussion? The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), speaking for the universe, assured us that there never had been any intention that this Bill should not pass in the course of the present Session. If he says that for himself I am quite willing to accept it, but he must allow to me my own opinion as to the intentions of the other parts to the universe. Indeed, the right hon. Gentleman was flatly contradicted by his ally opposite the late Chancellor of the Exchequer (Mr. Goschen), who said that this Bill consisted of 16 Bills, and that each of those Bills required a month each. I ventured to observe across the Table that 16 months were more than a year, which seemed to me to be a well-founded statement, borne out by the almanack. The right hon. Gentleman amiably acquiesced in that proposition. Then I venture to say that he was not in accord with the right hon. Member for West Birmingham when he said that the intention was that the consideration of this Bill should have been concluded in the present year. When we remember how this Bill has been treated, I think we may form an opinion—I am quite sure the country will—as to what the intentions were that dictated the manner in which the campaign has been conducted. When the Bill was divided into what were called compartments, with the object of bringing a certain number of clauses under discussion in each successive week, what happened? I think that in nearly all those weeks the whole week was expended in the discussion of a single clause, and that clause was not completed. In these circumstances, we have to ask ourselves if the Opposition are determined to spend more than a week upon every clause, because it really comes to that—[*Cries of "No!"*]  
—well, every clause they had the chance of discussing they spent more than a week upon—is it possible that any measure of first-rate importance can ever be dealt with by the House of Commons? That is what it really comes to. We are in this situation—Is the House of Commons to be reduced to such impotence that a

minority can so conduct their opposition that no first-rate measure, if they choose to refuse it, shall be allowed to pass through the House of Commons in a single Session? That is practically the question. I will try to convince even the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain). I know him too well to attempt to convince him by any authority less than his own. On this, as on many subjects, I have learnt much from the right hon. Gentleman; and upon this, as upon most other questions, at one time or other we were in perfect accord. I think we are in perfect accord upon this subject now. Nothing will give me greater satisfaction than to find I have the support of my right hon. Friend. No one, I am sure, ever states the views he entertains in a more lucid and forcible manner before this House and the country than the right hon. Gentleman. That which, to my mind, is the base and root of the whole question is—How far and under what circumstances does it become imperative upon a deliberative Assembly to assert the right of the majority to carry its measures? Now, the right hon. Gentleman propounded this in an excellent manner not three years ago. He said—

“The problem presented by the growth of obstruction in the House of Commons is continually becoming more urgent and more important. We have already arrived at a condition of things in which it is possible for any minority absolutely to prevent the majority from passing any legislation at all.”

And then he paid a well-deserved compliment to the Opposition in the late Parliament. He said—

“During the last Session the Government were enabled to carry a certain number of non-Party Bills. This limited success was due entirely to the forbearance of their opponents, who were satisfied with the withdrawal of the chief Bills in the Unionist programme and magnanimously refrained from pushing their advantage to the fullest limit. But there is no doubt that under the existing rule they have it in their power to prevent the passing of a single Bill and to make the Session an absolute blank so far as legislation is concerned. Is this state of things Constitutional? Is it consistent with the theory of democratic government? Is it in the interests of the people at large?”

That is the question which we have to determine here in the first instance, and which the people outside have to deter-

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mine afterwards. You think they will determine it in your favour. We believe they will decide it in our favour, and I am trying now to show what the question really is. Then, referring to the obstruction of which he speaks, the right hon. Gentleman proceeds to observe that the power of the people under such a system

“becomes an empty name. It is useless for the people to express their wishes and to return Representatives . . . if all the efforts of those Representatives can be successfully paralysed by a determined and factious Opposition. An ordinary Session of Parliament affords ample time for the fair presentation of arguments for and against the leading proposals of the Government. It offers sufficient opportunities for the consideration and decision of every reasonable Amendment. On the other hand, no Session, however protracted, will be found sufficient for even a solitary Bill if all the Members of the Opposition insist on exercising their technical rights to the utmost.”

This is a true presentation of the question, in my opinion, with which we have to deal. Well, the right hon. Gentleman then deals with the case of America, where they were encountering exactly the same difficulty, and describes the method in which the difficulty has there been dealt with. He refers to various proceedings which have proved ineffectual till at last they came to what is called the application of the “Previous Question,” which is similar to the Resolution now before the House—that is, the time Closure, within the time limited for that purpose. And then the right hon. Gentleman, speaking of the practice of the United States, says—

“By this proceeding, summary and arbitrary as it may appear to us, obstruction is rendered hopeless. At a predetermined date and hour the Bill or Resolution under consideration must be voted on,”

—and I will call attention to this observation, which seems to be very pertinent to our present situation—

“and the minority have only themselves to thank if they waste the intervening period on irrelevances or personalities instead of using it to bring forward their strongest objections and most important Amendments.”

That seems to have met with the approval of the right hon. Gentleman, and he saw no injustice to the minority.

MR. J. CHAMBERLAIN: I beg my right hon. Friend's pardon. He has been perfectly fair up to the present moment,



but he is going too far when he says that met with my approval, because if he will be kind enough to continue the passage he will find I pointed out that in the United States, by this arbitrary process, they have entirely destroyed free discussion.

SIR W. HARCOURT: I can assure the right hon. Gentleman that I do not want to do him any injustice. I will treat him as fairly as I can. But this is to be taken always supposing reasonable time has been given, and that the minority has not taken advantage of that reasonable time. Then the right hon. Gentleman says—

"Whatever the future may have in store for American politics, it seems certain that the death-knell of obstruction has been sounded as an established instrument of Parliament and Parliamentary tactics, and future minorities will have to earn the privilege of fair discussion by giving the clearest evidence of their determination not to abuse it."

We are agreed upon that. As far as I can see, we are agreed that the minority are to earn the privilege of fair discussion by giving the clearest evidence of their determination not to abuse it. We have thus made some progress towards what is called "the gag." That is what has been established in America. But what does the right hon. Gentleman say of the condition of the House of Commons? He says—

"The position of this country is most striking. Here the control of business has passed out of the hands of the Government of the Queen and the majority of the Representatives of the people. Legislation is only possible by the sufferance of the minority, and very often a small minority, made up of the least respectable and least intelligent."

That is an awkward point—who are the least respectable and least intelligent—upon which I do not desire to dwell. It is hardly necessary to the argument. Having reviewed the measures taken by America and the results produced, and contrasted them favourably with the results now extant in the House of Commons, the right hon. Gentleman proceeded—

"In considering this important question it should be borne in mind that under any system the majority have the power of controlling business if they choose to exert it. No change

of rule is necessary for this purpose, only a change of practice and of a deeply-rooted feeling which has hitherto made such a proceeding distasteful to the majority of the House of Commons, and has led them to submit to the tyranny of a small minority than to depart from the generous traditions of many centuries of representative Government."

I agree entirely with that, and I think it was a memorable day when the practice was broken through in 1887. I say that is a precedent which necessarily has had, and will have, its consequences. Having used these arguments there comes a remark of the right hon. Gentleman which is deserving of the special attention of the House—

"But there is nothing to prevent the majority from bringing up and passing, under the Closure Rule, similar Resolutions to those adopted in Congress, limiting debate on any particular measure or even preventing debate altogether. It is not the power that is wanted, but the will, and the experience of Democratic rule in the United States justifies the belief that if a Leader should hereafter arise who should even by the most arbitrary method restore to the House of Commons its old authority over its Members, and enable it to regain control of its business, he would be supported by public opinion, and would be held to have deserved well of the country. Good government he would have rescued from paralysis and contempt."

MR. J. CHAMBERLAIN: Will my right hon. Friend read the next sentence?

SIR W. HARCOURT: Certainly. It continues—

"It would seem wiser not to wait for the advent of this deliverer."

Now the right hon. Gentleman denounces the deliverer [pointing to Mr. Gladstone] as an arbitrary tyrant. Three years ago the right hon. Gentleman was on his knees praying for a saviour of society, but now he moves this Amendment to my right hon. Friend's Resolution. The right hon. Gentleman goes on in his article to discuss various points, among others the matter of Supply, which is not yet under consideration, and he says—

"Coming now to the question of the Committee stage on Bills, it has been already pointed out that under our present system it is easy for a small minority to occupy a whole Session of Parliament in the discussion of Amendments in Committee on a single Bill."

Then he says—

"It cannot be too strongly insisted upon that no ordinary Closure, no limitation of the length of speeches, no rule against repetition or disorder will prevent this possibility. There is one remedy, and only one—namely, that adopted by the American House of Representatives in fixing by Resolution the limit of time at which the whole Debate in Committee shall be brought to a close. Supposing that a reasonable and, indeed, an ample time is fixed for this purpose, will anyone contend that there would be any hardship to the minority or that public interest would suffer?"

When some reference was made to this very remarkable article the other day the right hon. Gentleman said he desired that this question of fixing a limit of time to any Bill should be referred to an impartial Committee. Well, I think it would be difficult to frame an impartial Committee to deal with this question. I dare say, however, the right hon. Gentleman does not think so. Perhaps he is of opinion that if he were Chairman of a Committee composed of the gentlemen who sit around him it would be an impartial Committee. For myself, I do not exactly see how this impartial Committee is to be formed or how such a step as this can ever be taken except as it is taken in the House of Representatives, by the majority of the House, who are the Representatives for the time being, at all events, of the majority of the people whose business they sit here to transact. Then these ardent Unionists are so very anxious to dissect the majority of the House of Commons, and we have now for the first time, I should think, in the annals of the House of Commons the suggestion of a British majority. [Mr. A. J. BALFOUR: Hear, hear!] Yes; but if you are going to dissect the majority, why do you not separate Scotland and Wales? Why not speak of a Scotch majority, a Welsh majority, an Irish majority? The late Chancellor of the Exchequer became a little confused when he was dealing with this question of a British majority, for he said—

"Of course we do not separate majorities as long as this is a United Kingdom."

Well, at any rate, it is a United Kingdom now. Why, therefore, talk about a British majority? We know, of course, very well what this language means. It

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is the old language of ascendancy, language redolent of that spirit according to which it was always supposed that the Irish were an inferior race, and that their votes ought to be reckoned on a lower scale. It is part of the old tradition that it was the British alone who had a right to govern. I fancy I am rather a better Unionist than the late Chancellor of the Exchequer, for I maintain that in this House of Commons there is no English majority, no Scottish majority, no Welsh majority, and no Irish majority. It is a majority of the collective Representatives of the people, representing the majority of the people of the United Kingdom. Well, Sir, I have endeavoured to state to the House what I consider is the question to be discussed and determined to-night. Have the Government proposed an adequate time for the discussion of this Bill? [*Opposition cries of "No!"*] I know you are not satisfied; but that is our opinion, and it is upon that ground that we propose this Resolution. It is perfectly true that ultimately the country will have to decide. I do not complain the least in the world of an Opposition always calling for a Dissolution. We always did it when we were in Opposition. A man who has lost a game always likes to have his revenge, and possibly to get his money back again. But the country who sent us back in a majority expects, and has a right to expect, that we should do something, and we intend to do it. When we told you to dissolve the country was against you on Coercion. I may observe that you did not dissolve for six years, but when you did you found out that we were right. After six years we may make the same discovery, but the discovery has not been made yet. It seems to me that we have put a very fair issue before the House. It is perfectly idle all this talk about the gag. You have the doctrine of the gag explained in the article I have read. You had the system of the gag established for the first time by gentlemen on the opposite Bench. They may say that it was applied in an excellent cause; we say it was applied in a bad one. We say we are applying it in a good cause. You may say we are applying it in a bad cause. These are opposing opinions which opposite Parties will take. That

is a matter which has to be determined, and which ought to be determined, by the majority of the Representatives of the people. We have placed before you the grounds upon which we consider that the time we have given for the discussion of this Bill is ample. I must say that the state of the House for the last week—I might almost have said to-night—has shown that the time has been considered ample by most of its Members, because they have ceased to take much part in the discussions. I believe—I know you will not agree—that the country, the majority of the country, is satisfied that there has been quite time enough spent upon the Bill. That is the opinion which we have entertained, which we have embodied in this Resolution, and on that Resolution we are perfectly prepared to take the opinion of the House of Commons now and to take the opinion of the country hereafter.

**MR. A. J. BALFOUR** (Manchester, E.): I rise, Sir, to congratulate the right hon. Gentleman, and I congratulate him on two grounds: I congratulate him, in the first place, on having been able to find a quotation from one of his own speeches with which he heartily agrees; and I congratulate him, in the second place, because he has been able to supplement the labour which most of us undergo when we address this House on a question by occupying almost the whole of the time he has addressed the House in reading out some extremely interesting extracts from an article by somebody else. I certainly do not complain of that. I am only delighted to see the right hon. Gentleman shelter himself under my right hon. Friend the Member for West Birmingham.

**SIR W. HARCOURT**: Preaching another man's sermon.

**MR. A. J. BALFOUR**: The right hon. Gentleman can express himself with much greater felicity than I can command. I am delighted to see him preaching another man's sermon, but it seems to me that he somewhat misunderstood the text. I do not pretend

to have refreshed myself with a careful perusal of the article from which we have had such copious extracts; but if I understood those extracts, and interpreting the whole article merely in the light of those extracts—which, I presume, were carefully selected—I should have said that they represented the views of my right hon. Friend when he was dealing with a small minority who had ample time for discussing the measures placed before them. Whether we have or have not had ample time to discuss the measures placed before us is a question I shall come to directly, but whether we are or are not a small minority is a question I will deal with at once. I may remind the right hon. Gentleman that a minority which is only 5 per cent. less than the majority of the House cannot under any estimate be regarded as a small minority; and when he quotes the example of my right hon. Friend—when he quotes American precedent for a mode of dealing with great Constitutional changes, he provokes one into reminding him of what the provisions in America are for preventing great Constitutional changes. Does the right hon. Gentleman think that the American Senate and House of Representatives, who were held up—and in certain respects quite rightly held up—by my right hon. Friend opposite, would have tolerated, or could, if they wished, tolerate, a great Constitutional change advocated only by a majority which differed from the minority by 5 per cent.? To make a Constitutional change—not like the present revolution, but the smallest change—in the American Constitution requires a two-thirds majority of the House of Representatives and a two-thirds majority of the Senate; and after that two-thirds majority has been obtained in both the great Representative Assemblies, it then requires to be submitted to the State Legislatures, and three-fourths of the State Legislatures must give their assent. And you have the courage to bring before us as a parallel to your own procedure the action of the free Republic on the other side of the Atlantic, which, whatever be its merits or whatever be its faults, at all events differs from the majority of this House in this: that it knows how to value a Constitution handed down to it by its forefathers.

AN hon. MEMBER : It did not pass an Act of Union.

MR. A. J. BALFOUR : At all events, the right hon. Gentleman did show that he appreciated the gravity of the step which he and his friends are requiring their followers to adopt to-night ; and in that he differed—and, I think, differed for the better—from the Prime Minister. I never heard a speech, introducing, I will not say a great violation, but, at all events, a great revolution in our procedure, like that delivered by the Prime Minister. It was a genial speech, it was a cheerful speech ; it was a speech delivered with every charm of manner ; but he never approached the subject. He asked us to sign away our liberty as you would sign a cheque for a few shillings ; and as for arguing the case, the Prime Minister, possibly as a good tactician, but certainly not as a great statesman, never brought before us for one moment the real magnitude of the issues which we are now confronting. He told us that it was the logical conclusion of his previous action, that what we were asked to do to-night was the consequence bound by an iron chain of that which we had, unfortunately, done a month ago. I do not know whether this iron chain is to stop where it is. I do not know why we are not to find ourselves bound by it hand and foot in future times, and why this, which is the logical conclusion, according to the right hon. Gentleman, of what we have done earlier in the Session, should not be itself the logical premiss of acts of equal tyranny performed either by right hon. Gentlemen or by their successors in future Sessions of Parliament. The fact of the matter is, that all those who pretend that this is not a new departure, and who will attempt to base their action upon anything done by hon. Gentlemen now on the Opposition Bench a few years ago, entirely mistake, as it seems to me, the functions of a Legislative Assembly and an Executive Assembly. We are both. If we were merely a Legislative Assembly which did not meddle in Executive matters, one rule would be applicable to all our proce-

cedure. But we insist on interfering, and are required to and must interfere, in Executive matters as well as in legislative matters ; and there are some matters, technically legislative, which trench so nearly upon the Executive functions and duties of Government that they cannot really be distinguished from them. Such was the action we took in 1887. Every man will admit—whether he agrees with what we did in 1887 or not—that it is the first duty of Government to maintain law, preserve the rights of individual citizens, and preserve general order. Every man will admit that a Government which finds itself face to face with a state of disorder, which, in its opinion, cannot be quelled or dealt with in any other way, is bound to get through this House the necessary legislative powers to enable it to deal with the situation in which it finds itself. That general proposition, which is true of the maintenance of the law, is equally true in cases of public danger or foreign invasion, and in cases of any public crisis. But you must distinguish broadly from cases of that kind ; cases which are merely and strictly legislative cases ; cases in which you are endeavouring to reform if you will—to injure and destroy, as we think—the Constitution of the country ; cases in which you are passing laws which may be good or bad, but of which the imminent and instant necessity is not obviously demonstrable ; and in that second category, by your own confession, stands the Bill which we have been discussing for these 70 days. There are Home Rulers in this House and anti-Home Rulers—men who believe the salvation of Ireland, and this country too, depends on our passing Home Rule, and men who have a precisely opposite opinion ; but whether we be Home Rulers or whether we be anti-Home Rulers, all of us must agree in this : that whether Home Rule be passed in 1894, or 1895, or 1896, or 1897 does not affect the future of this country or of Ireland. It is not a question of months or days, as in the case of the Crimes Act. It is not the case of a foreign invasion or of a great public crisis. This is a case of a great alteration in the Constitution of the country, and, whether that alteration be good or bad, at all events this House may at least claim the full power to discuss the details



of the main provisions of the measure which the Government have submitted to us. That broad principle being laid down, and I hope and believe accepted by the House, I ask whether there is any excuse for the revolution in our procedure attempted to be thrust upon us by the Government and by the small majority which it commands? The hon. Member for Bedford (Mr. Whitbread) gave one reason why the change should be made. He said we are exhausted by our labours; that the attendance in the House during the last two or three weeks shows that the House is not fit adequately to discuss the Home Rule Bill. I do not say that the House at 90 in the shade is in the best possible condition to carry through difficult and responsible legislation, but, at all events, our discussions, feeble as they may be, are surely better than no discussion at all. The arguments we humbly advance are better than none at all. If the Government adopt the wise procedure recommended by the right hon. Gentleman the Member for West Birmingham, and ask the House to re-consider the question in the autumn we shall be happy to accede; but if the Government insist upon carrying on the business through August, we also are ready to meet their wishes. The difficulties are not of our seeking, and they do not call for the taunt of the hon. Member for Bedford, because, in my recollection, never have labours of the Session been of such extraordinary magnitude, and the House has at this season of the year never devoted itself with such energy to the discussion of legislation. This is the first argument that has been advanced. The second argument is this, and it is chiefly relied upon by the Prime Minister: He said—"You have attempted to smother this Bill with the number of your Amendments." Well, I have watched this Bill closely, with a closeness rivalled only by two other Members in this House, and I absolutely deny that there has ever been any desire to smother the Bill, or that that result, as a matter of fact, has been attained. It all depends on the view that you may take of the complexity of the Bill. My right hon. Friend said it was equal to 16 Bills. I will not say how many Bills it is equal to, but I will say that every step you take you kick

up a new principle; you tumble over principles every moment, and you cannot move through a clause, through a sentence—I might almost say through a word—of this Bill without finding that questions are raised equalling in magnitude those raised by half-a-dozen of the ordinary humdrum Bills on which this House very properly spends its time. When we recollect that this Bill deals with the whole question of the Police in Ireland, Civil servants in Ireland, the whole Executive in Ireland, the Royal veto in Ireland, the constitution of two Houses of Legislature in Ireland, finance and the land—not to weary the House with other questions—any one of which might form the subject of a Bill which would in itself become of great importance in any Session, is it not a little grotesque to say that we have abused the Rules of the House in moving Amendments? The only other argument I have heard is that, in addition to there being too many Amendments, those Amendments have been discussed at too great length. I hear the Chief Secretary assent to that. He is the Minister in charge of the Bill. It is the duty of the Minister in charge of a Bill, when the discussion has gone on too long, to move the Closure. How often on this Bill has the Closure been moved and granted during the Report stage? So far as I am aware, the Closure has been moved twice and granted once, and once only. Is it not absurd, then, to say that the discussions on individual Amendments have gone on too long? Clearly, they have not either in the opinion of the Government, or in the opinion of the authority in the Chair at the time; and certainly my own recollection is that the discussions have been remarkable for their brevity. I am not now discussing whether or not there have been too many Amendments. I am only discussing whether or not they have or have not been debated too long, and I can state with absolute assurance and confidence, having had some experience in these matters, that in all my knowledge of the House I have never heard Debates compressed within limits, on the whole, more narrow, more directed to the point, and in which those who have on the part of the Opposition been responsible for the conduct of the Debate

have striven more genuinely and earnestly to confine the discussion and the argument to the point at issue. [Mr. MUNDELLA dissented.] I see that the President of the Board of Trade expresses a doubt about that. He has been away during these Debates attending to his Departmental duties. I have been here and he has not, and I give that as the direct and distinct conclusion I have drawn from a most careful and impartial consideration of what has taken place. If there has been an exception to this general rule, it has not been an exception of which I individually, or the House, I think, have felt any reason to complain. The only person, so far as I know, who has at all travelled beyond the strict line of relevant argument has been the one man in the House to whom such a sin is readily forgiven — namely, the Prime Minister. He has delighted us; he has cheered us through the hot weather — through our protracted labours — by speeches of which I can only say they are the one thing that would have consoled me for the deprivation of a holiday which I have been taught by long experience to expect about this time of the year. But, though the right hon. Gentleman's speeches have had all the qualities of readiness, elasticity, and dexterity, of eloquence, and charm, I cannot honestly say that they have always had the merit of relevancy. I particularly have in my mind one famous occasion on which in a rash moment I made a rash observation that the Government were not worth answering. What was the result of that ill-timed observation? It was that the Prime Minister jumped to his legs and, with splendid gesture and eloquence, launched out into a denunciation of the actions of the Tory Government in 1887 with regard to the Land Bill, quoting Lord Salisbury about the sacredness of judicial rents, and discussing all kinds of questions on which there was absolutely nothing to say except that they were quite wide apart. We were not discussing Lord Salisbury; we had nothing to do with judicial rents; we were not touching on anything in the least connected with the subject; but the right hon. Gentleman could not restrain himself, and he delighted the House and wasted our time in a speech of three-quarters of an hour.

*Mr. A. J. Balfour*

[*Cries of "An hour!"*] I do not quite recollect, the time passed so quickly to those who heard the speech—but we felt that whatever it was it was not business. I recollect another case. It was when the Government had, by some of those errors of tactics to which all Governments are liable, blundered into a perfectly untenable position. They had, through one of those mistakes which are quite unaccountable, and which we all make, determined to resist an Amendment which had for its object the repeal of a certain Bill which gave very abnormal privileges to the Irish Government with respect to the repeal of the Habeas Corpus Act. I recollect that Debate well. The right hon. Gentleman first attempted to break down the Opposition forces by throwing against them the whole weight of the Solicitor General. As they still remained unmoved and unshaken, he then launched against us the reserve of the Attorney General; and, still finding us undefeated, the right hon. Gentleman thought that a strategic retreat was the only course open. Much as I admire the right hon. Gentleman, and greatly as I have enjoyed his performances on this Bill, I do not think that my admiration ever rose to the point it did on that occasion. He made an admirable speech. He professed to have been converted to our view long before his Solicitor General or Attorney General had spoken. He launched into an account of the passing of the Octennial Bill by Grattan's Parliament, absolutely irrelevant, I need hardly say, to the particular Amendment. Having given us a vivid account of the Parliamentary vicissitudes of that great measure, he said that he had no doubt, from internal evidence, that the same exertions that Grattan's Parliament made in favour of the Octennial Bill they had made in favour of the repeal of this Habeas Corpus Act. He said he had no historical knowledge of the fact, but he had no doubt they did do it, and on that ground he would do it. Finally, he concluded by declaring himself converted to his own views by the speech of his own Attorney General, which was directly in the opposite sense, and he did that with the admiration and assent of the whole House. There was not a man who did not enjoy it; there was not a man who

did not think better of the right hon. Gentleman, and there was not a man who would not have done it himself if he could. There was one fault, and one fault alone, of which that speech may be accused. It took three-quarters of an hour; and if it took three-quarters of an hour for the Prime Minister to accept an Amendment, I want to know how the Opposition can be attacked for taking many times three-quarters of an hour in supporting an Amendment? I thought something would be gained by mentioning these concrete instances; but there are others scarcely less striking which will, I am sure, come to the mind of everyone who has followed the proceedings of the Committee closely; and I say boldly that, although the right hon. Gentleman has shown the most extraordinary Parliamentary genius through all these Debates, nevertheless he, and he alone, is guilty of the irrelevance and waste of time which, most unjustly, has been put upon our shoulders in the attack made upon us. I think, and I have always thought, that we are primarily, and must always be primarily, a debating Assembly if we are to carry out our duties. Right hon. Gentlemen opposite talk as if discussion was the privilege of the Opposition. They say—"If you spend a lot of time over Clauses 2, 3, and 4 you cannot expect to have the fun of discussing 5, 6, 7, up to the 44th clause." But it is not a case of the amusement of the Opposition; it is a case of our carrying out our duties to our constituents. Even if it be granted, as I do not grant, that we have not compressed our Debates on the first four clauses within the narrow limits which we might have done, I say there is not the faintest shadow of an excuse for preventing this House, either on the Committee stage or on Report stage, from carrying out its duties and discussing the proposals of the Government. It is not the Opposition who are hurt by this; it is the House itself. We have no love for sitting here through August discussing this Bill. You do not do us a kindness by letting us go on. The question is, whether or not this House, if you curtail, I will not say its privileges, but if you prevent it from

carrying out its duties, can retain, or will deserve to retain, the position it now holds in the estimation of our countrymen. I am of opinion now, as I have always been, that our traditions are sufficiently robust, deep-seated, and permanent to prevent one or even two tyrannical actions like this from absolutely destroying the future of this House? I am not a pessimist, and I refuse to take a gloomy view of the future of this Assembly. I acknowledge that the long discussions, which are the absolutely inevitable and necessary incidents of Assemblies of this kind living under Democratic Institutions, might produce an impatience in the country among the democracy which, in a moment of madness, might induce them to deprive us of our liberty and to triumph over our fall. But I do not believe that the great crisis has yet arrived. I see no signs of any catastrophe of this kind. For if that happens it must happen under the stress of some great popular excitement. It must be under the leadership of a man who not only commands universal admiration for his talents and the respect of a great Party in the State, but who has behind him the great mass of the people of this country. No such catastrophe has yet occurred. Gentlemen opposite do not pretend to themselves, even in their most sanguine moments, that they come here with the force of a great popular movement behind them. They do not look forward to the next Election as men going from a triumphant struggle to receive a great ovation. They are like criminals awaiting their trial, and, like criminals in that unhappy condition, I do not think that they are likely to hasten the event which will, however, sooner or later come upon them. But when that time shall come, when the National Assize shall be held at which men are to be judged by their political deeds, I, at all events, firmly believe that a punishment will be inflicted on the criminals in this case which will take from them and their successors any desire in future to repeat the offence.

Question put.

The House divided :—Ayes 200 ;  
Noes 162.—(Division List, No. 276.)

Main Question put, and agreed to.

Resolved, That, at Eleven o'clock p.m. on Friday the 25th day of August, if the proceedings on the Consideration of the Report of the Government of Ireland Bill be not previously concluded, the Speaker shall put forthwith the Question, or Questions on any Amendment, or Motion, already proposed from the Chair. He shall next proceed to put forthwith the Question on any Government Amendments of which notice has been given, after which he shall put forthwith the Question on the Motion appointing a day for the Third Reading of the Bill.

Until the Report is disposed of, no Motion of Adjournment under Standing Order 17 shall be received, nor any dilatory Motion on the Bill unless moved by one of the Members in charge of the Bill, and the Question on any such Motion shall be put forthwith. Proceedings under this Order shall not be interrupted under the provisions of any Standing Order relating to theittings of the House.

#### GOVERNMENT OF IRELAND BILL.

Adjourned Debate on Amendment proposed [18th August] on Consideration of the Bill, as amended, further adjourned till To-morrow.

#### LAND TRANSFER BILL [*Lords*].

##### SECOND READING.

Order for Second Reading read.

Objection being taken,

MR. A. J. BALFOUR (Manchester, E.) said : I hope hon. Gentlemen will withdraw their objections to this Bill, as it is really an important measure, which would settle a vexed question.

MR. RADCLIFFE COOKE (Hereford) said, he could not withdraw his objection, as the Bill had only been

printed and circulated that morning, and contained very serious controversial matters. He must persist in his objection.

Second Reading deferred till Thursday.

#### WILD BIRDS PROTECTION BILL.

Adjourned Debate on Consideration of Lords Amendments [18th August] further adjourned till this day three months.

#### POST OFFICE (REVENUE AND EXPENDITURE).

Return presented,—relative thereto [ordered 9th June ; Mr. Arnold Morley] ; to lie upon the Table, and to be printed. [No. 378.]

#### POST OFFICE TELEGRAPHS (REVENUE AND EXPENDITURE).

Return presented,—relative thereto [ordered 9th June ; Mr. Arnold Morley] ; to lie upon the Table, and to be printed. [No. 379.]

#### CENSUS OF SCOTLAND, 1891.

Copy presented,—of Tenth Decennial Census of the Population of Scotland taken 5th April, 1891, with Report (Vol. II., Part II.) [by Command] ; to lie upon the Table.

#### AFRICA (No. 7, 1893.)

Copy presented,—of Paper relating to Slave Trade in Bengazi [by Command] ; to lie upon the Table.

House adjourned at half after  
Twelve o'clock.







HOUSE OF LORDS,

*Tuesday, 22nd August 1893.*

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL.

Returned from the Commons with certain of the Amendments made by the Lords (to which the Commons had disagreed), and with the Amendments made by the Lords to the Amendments made by the Commons to the Amendments made by the Lords, agreed to.

LONDON IMPROVEMENTS BILL.

Returned from the Commons with several of the Amendments made by the Lords, agreed to; with one disagreed to with Reasons, and with a consequential Amendment to the Bill: The said Reasons and consequential Amendment to be printed, and to be considered on Thursday the 31st instant. (No. 249.)

BLACKROCK AND KINGSTOWN DRAINAGE AND IMPROVEMENT BILL [H.L.]

Returned from the Commons agreed to, with Amendments: The said Amendments to be considered on Thursday the 31st instant.

PEERS OF IRELAND.

List of the Peers of Ireland: Laid before the House (pursuant to Order of the 13th July last), and to be printed. (No. 251.)

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (LEEDS AND LIVERPOOL CANAL) BILL.

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (NAVIGATION OF THE RIVERS AIRE AND CALDER) BILL.

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (GRAND JUNCTION CANAL) BILL.

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

CANAL TOLLS AND CHARGES PROVISIONAL ORDER (WARWICK AND BIRMINGHAM CANAL) BILL.

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Thursday next.

PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT BILL.

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.

REPORT OF AMENDMENTS.

Amendments reported (according to Order).

Clause 5.

Formal Amendment on page 3, line 13, after ("board") to insert—

("And the enactments relating to the audit of School Board accounts shall apply as if any joint body of managers appointed in pursuance of this sub-section were a School Board.")—(The Lord President) [*E. Kimberley*].

Amendment agreed to.

Bill to be read 3<sup>a</sup> on Thursday next.

PUBLIC WORKS LOANS (No. 2) BILL.

Read 2<sup>a</sup> (according to Order), and committed to a Committee of the Whole House on Thursday next.

CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.

Brought from the Commons; read 1<sup>a</sup> to be printed; and to be read 2<sup>a</sup> on Thursday next.—(*The Lord Ribblesdale.*) (No. 254.)

# ELEMENTARY EDUCATION (SCHOOL ATTENDANCE) BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and to be read 2<sup>a</sup> on Monday next.—(The Lord President [*E. Kimberley.*]) (No. 255.)

# SHOP HOURS ACT (1892) AMENDMENT (No. 2) BILL.

Brought from the Commons ; read 1<sup>a</sup>, and to be printed. (No. 256.)

House adjourned at twenty minutes before Five o'clock, to Thursday next, Three o'clock.



# HOUSE OF COMMONS,

*Tuesday, 22nd August 1893.*

# PRIVATE BUSINESS.

# BLACKROCK AND KINGSTOWN DRAINAGE AND IMPROVEMENT BILL. — [*Lords.*]

Ordered, That, in the case of the Blackrock and Kingstown Drainage and Improvement Bill [*Lords*], Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration, provided amended prints shall have been previously deposited.

Bill considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Dr. Farquharson.*)

(Queen's Consent signified) ; Bill read the third time, and passed, with Amendments.

# QUESTIONS.

# WESTON TURVILLE SCHOOL.

MR. TALBOT (Oxford University) : I beg to ask the Vice President of the Committee of Council on Education, in view of the fact, in addition to other considerable improvements and alterations, the

Education Department are requiring the Managers of Weston Turville School, in the County of Buckingham, forthwith to paint the whole exterior of the school, will he state by what section of the Code this requirement of a matter which affects neither the comfort nor the wellbeing of the children is authorised ?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham) : In the last letter of the Department to the School Managers (dated July 22nd) all that is required as regards the painting of the exterior of the building is that the external wood-work should be painted as soon as possible. A building can hardly be kept in a healthy condition, as required by Article 85 of the Code, if the windows are allowed to deteriorate for want of painting, but the Department will not press that the work should be done immediately, if the Managers consider that it can be properly held over for another year.

# DISTURBANCES IN CAVAN.

MR. YOUNG (Cavan, E.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why an additional force of police has been sent to Cootehill, County Cavan ; and if the extra police will soon be removed ?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : A protection post of five constables was temporarily formed at Lisnagoon, near Cootehill, on the 3rd instant, for the purpose of affording protection to a number of labourers employed on an evicted farm. No charge will fall on the county in respect of this post, which was broken up on the 17th instant.

# BRITISH COMMERCIAL TREATIES.

SIR E. HILL (Bristol, S.) : I beg to ask the Under Secretary of State for Foreign Affairs whether he will cause to be printed in the Treaty Series of Foreign Office Papers the Treaties of Commerce and Navigation now in force between Great Britain and the principal European and American countries ; and whether he will lay upon the Table of the House the Commercial Agreement or Treaty recently concluded with Spain, which it is understood has been presented to the Spanish Cortes ?



**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): The old Treaties of Commerce and Navigation have already been laid before Parliament; they can be obtained separately as Parliamentary Papers, and they are all published and indexed in Hertslet's Treaties. Under these circumstances, the heavy expense of reprinting the Treaties could not be justified. Any new Treaties which may be concluded will be presented in due course in the Treaty Series. The Provisional Agreement with Spain, which has, however, not yet been ratified by the Cortes, will be laid.

#### THE FOREST OF DEAN MINERS.

**SIR C. W. DILKE** (Gloucester, Forest of Dean): I beg to ask the President of the Board of Trade whether the statement in the organ of the Labour Department of the Board of Trade—"In the Forest of Dean the miners have been on strike since July 8th," is an accurate statement of the facts connected with a local lock-out unaccompanied by the offer of arbitration?

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. MUNDELLA, Sheffield, Brightside): The difference between a lock-out and a strike against a reduction of wages is one of some nicety. In the Forest of Dean the coalowners (so far as the Department is informed) gave a fortnight's notice without at the time making any proposal for a definite reduction, but before the notices took effect a reduction of 25 per cent. in wages was asked for, and, after a ballot among the miners, refused. Under these circumstances, the description of the dispute given in the passage referred to is correct according to the definition of strike and lock-out contained in Board of Trade Report on strikes and lock-outs, 1888. Owing to the ambiguity of the terms "strike" and "lock-out" the Department is gradually discarding both terms and substituting the term "trade dispute."

**SIR C. W. DILKE**: Would it not be better to class the Forest of Dean miners in the same way as they are classed by the Home Office in other English Districts?

**MR. MUNDELLA**: I think that is a reasonable suggestion to which effect might be given.

#### BOVINE TUBERCULOSIS.

**MR. FIELD** (Dublin, St. Patrick's): I beg to ask the President of the Local Government Board whether any progress is being made with respect to the publication of the Bovine Tuberculosis Report, and when its issue may be expected; and whether the Government are considering the adoption of means to compensate owners whose property is confiscated in the interests of the public?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.): I am informed by the Royal Commission on Tuberculosis that two of the special inquiries which they have been undertaking are completed, and that the third will be finished by the end of next month. Immediately after that the Commission will meet to draft the final Report. As to the second point, I can only state that the consideration of the question as to the adoption of means of granting compensation must be deferred until the Commission have made their Report.

#### THE LIQUOR TRAFFIC (LOCAL CONTROL) BILL.

**MR. W. LONG** (Liverpool, West Derby): I beg to ask the Chancellor of the Exchequer whether it is correct that he anticipates taking the Second Reading of the Liquor Traffic (Local Control) Bill before the rising of the House; and, if so, if he can state when the Bill will come on?

**THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The Chancellor of the Exchequer is not able at present to name a day for the Second Reading of the Liquor Traffic (Local Control) Bill. He hopes that time will be found for it before the close of the Session.

#### TITHE SEIZURES IN WALES.

**MR. GRIFFITH-BOSCAWEN** (Kent, Tunbridge): I beg to ask the Secretary of State for the Home Department whether he is aware that at the meeting of the Cardiganshire Joint Standing Committee, held on August 10, at Aberayron, his letter to the Chief Constable, pointing out that the County Court Bailiff was insufficiently protected on May 5, was not mentioned by the

Chief Constable in his Report, and only produced on the demand of the Chairman of Quarter Sessions; that the Chairman of Quarter Sessions proposed the two motions to the effect that the Chief Constable be ordered in all cases where the police were engaged in protecting the Sheriff's officer when carrying out the orders of any Court to employ such number of constables as may be necessary to ensure the proper protection of the Sheriff's officers, and the due execution of such orders; and that any existing orders or instructions of the Committee to the Chief Constable in any way repugnant to this order be rescinded, but they were lost by the votes of the representatives of the County Council, every Justice voting for them; whether he is aware that two of these County Councillors are also members of the Anti-tithe Committee; and whether he now intends to take any steps to get the intention of his letter carried out, and the law enforced; and, if so, if he will state what steps?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I regret to have to inform the hon. Member that though I am in communication with the Chairman of Quarter Sessions on the subject of his question, I am not yet in possession of sufficient information to enable me to give him an answer. Perhaps the hon. Member will postpone his question.

#### VACCINATION PROSECUTIONS IN ESSEX.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the vaccination prosecutions and distrainments now being carried out at Grays, Essex; whether, in the case of second prosecutions, he will remit the fine and costs; and whether the case of Wheeler, a labourer employed on the works of Brooks, Shoobridge, and Co., who has been twice prosecuted, on whose goods one distrainment has already been made, and who is threatened with a second, has been brought to his knowledge?

MR. ASQUITH: Yes. I find that 65 warrants of distress were issued in June and July. In 46 cases the penalties were paid; in six the goods were sold; in nine there were no effects; and four

are still unexecuted. I am not aware whether any of these were cases of a second prosecution for the same child. In Wheeler's case there were two prosecutions, but for two different children. If I were to remit the fines I should be, in effect, repealing the Act of Parliament. As I have frequently stated, I deprecate second prosecutions for the same offence, and if the Bill which I have introduced were passed into law they would become impossible.

DR. MACGREGOR (Inverness-shire): May I ask whether, if repeated breaches of the Vaccination Law justify a remission of the penalties, the same rule will apply to breaches of the Land Laws; and if not, why not?

MR. ASQUITH: That is a matter of opinion and not of fact.

DR. MACGREGOR: I respectfully submit, Mr. Speaker, that that is a fair question to address to the Home Secretary.

\*MR. SPEAKER: The right hon. Gentleman has already answered it. He has replied that it is a matter of opinion. I think myself that it is an argumentative opinion.

#### ST. DAVID'S COLLEGE SCHOOL, LAMPETER.

MR. TALBOT: I beg to ask the Vice President of the Committee of Council on Education whether he has considered the strong expressions of opinion from the Lampeter and Pont Stephen United District Boards, and other Public Bodies, representing the district in question, against the decision to deprive the boys attending St. David's College School, Lampeter, of the benefit of the Intermediate County Scholarship Fund; and whether he will reconsider a decision which appears to have caused so much dissatisfaction?

MR. ACLAND: Resolutions to the effect stated in the question were recently passed by the Lampeter Pont Stephen School Board, the Lampeter Town Council, and the Board of Guardians of the Lampeter Union; but the Scheme had been approved nearly three months previously. I gave an answer on the question generally on the 14th August. But I think the dates which I have stated will show that it is out of my power to reconsider the Scheme in question.

*Mr. Griffith-Boscawen*

**MR. TALBOT :** Would not the Vice President meet the wishes of such a large body of public opinion by introducing some modification of the Scheme?

**MR. ACLAND :** It is not in my power to alter the Scheme. I have to hear the objections within a given period, which has now expired.

**MR. TOMLINSON (Preston) :** Could not a supplementary Scheme be adopted?

**MR. ACLAND :** It is always possible to grant an amending Scheme, but it must go through the same process as an original Scheme.

#### THE POLICE AND EVICTED FARMS.

**MR. THOMAS HEALY (Wexford, N.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain by what authority Sergeant Sherwood, the sergeant in charge of the Castlebridge Police Barracks, in the County of Wexford, has recently been assisting in mowing hay on a farm in the locality from which a Mrs. Delaney has been evicted; whether it is part of a constable's duty to assist emergency men in haymaking; whether a complaint was made to the District Inspector on this subject; whether any investigation by the Police Authorities was held; and, if so, with what result; and whether instructions will be given which will have the effect of restricting the police to their proper duties?

**MR. J. MORLEY :** I understand that in consequence of the scarcity of hay in the neighbourhood the sergeant bought and cut some grass on the evicted farm referred to for the use of an ass of which he is the owner. The matter has been inquired into by the Constabulary Authorities.

#### THE FUGE EVICTIONS IN COUNTY CORK.

**MR. FLYNN (Cork, N.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings in connection with the recent evictions on the Fuge estate, near Ballyclough, County Cork; is he aware that the tenants offered to pay the landlord's representative all arrears of rent due up to date upon the spot, and had frequently offered the rent to the landlord; why, under these circumstances, was such a large force of police present on this

occasion; and whether he is aware that the Sheriff's representative broke the windows, and when about to effect an entrance was put aside by District Inspector Bell, who was the first man to enter the premises; and, if so, whether he can state if it is the duty of a police officer to discharge the duty ordinarily performed by the Sheriff or the Sheriff's representative?

**MR. J. MORLEY :** I have received a detailed Report of the proceedings connected with these evictions. It is the fact, as stated, that the landlord's representative was offered all arrears due by the two tenants evicted, and that payment of the rent had been previously offered, provided the landlord would consent to make the occupiers agricultural tenants instead of dairy farmers. The evictions, however, were not for non-payment of rent, but were on the title in pursuance of writs of possession issued from one of the Superior Courts. A force of 25 police, under the command of District Inspector Bell, was present to protect the Sheriff's bailiff and to preserve the peace. The doors and windows of both houses were barricaded, and in one house was a number of persons who expressed a determination to resist eviction, and who repeatedly refused admission to the bailiff. A window was broken in by the bailiff, and the District Inspector, a man of much tact and intelligence, then entered by the broken window in order to endeavour by his presence to check violence and preserve the Sheriff's representative from apprehended injury. In entering the house before the bailiff Mr. Bell in no way discharged any duty belonging only to the Sheriff or his officers; it was his duty as peace officer to do all in his power to prevent a breach of the peace, and, observing persons inside the house, with the doors barricaded, and fearing serious consequences might ensue should the bailiff enter first, he himself went in for the purpose of warning the inmates of the trouble they would bring on themselves should any violence be used towards the bailiff. Happily no act of violence was attempted, and a breach of the peace was avoided.

**MR. FLYNN :** Has the right hon. Gentleman been made aware that the only act of resistance was that the doors were not opened to the Sheriff, and that

there is no precedent for the action taken by the Inspector named?

**MR. J. MORLEY:** I think the hon. Gentleman is mistaken as to there being no precedent, as a case was decided by the Lord Chief Baron at Sligo Assizes in 1887, in which it was ruled that Constabulary officers are responsible for the preservation of peace; and it was entirely with a view to prevent any act of violence that Inspector Bell acted as he did.

**MR. FLYNN:** Can the right hon. Gentleman inform me whether any violence was anticipated, because my information is to the contrary?

**MR. J. MORLEY:** I have read the reports of this case very carefully, and I am quite satisfied that the officer did not in any way exceed his duty.

#### GOVERNMENT CONTRACTS AND TRADES UNION LABOUR.

**MR. DALZIEL (Kirkcaldy, &c.):** I beg to ask the Secretary to the Treasury whether the conditions respecting the employment of Trades Union labour, proposed to be introduced into future printing contracts with Messrs. McCorquodale and Company and Messrs. Waterlow and Sons, will also be made to apply to all bookbinding contracts that may be entered into with these or any other firms?

**SIR J. T. HIBBERT:** The same conditions providing that no preference shall be given by Government contractors as between Union and non-Union men will be inserted in all future contracts for bookbinding as well as for printing.

**MR. W. FIELD:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that certain Government printing contracts have been given in Ireland to contractors who violate the Fair Wages Resolution; whether he is aware that Government printing contracts have been given by the Commissioners of National Education in Ireland to a contractor who disregards the said Resolution; and whether he will take steps to have the wishes of this House carried into practice in those and all other Governmental contracts?

**MR. J. MORLEY:** In forms of tender for Government printing in Ireland special attention is drawn to the Resolution of the House of Commons dated February 13, 1891, to the spirit and

intention of which all who may be intrusted with contracts for the Stationery Office are expected to conform. The Commissioners of National Education report that their printing contracts have been given to the Queen's printers in Ireland, who assert that they comply with the provisions of this Resolution. The Government are not aware that the provisions of the Resolution are infringed by any other Department.

#### POYNTZPASS POSTAL SERVICE.

**MR. E. M'HUGH (Armagh, S.):** I beg to ask the Postmaster General if he will explain how it is there is only one delivery of letters in the day in Poyntzpass whilst there are three deliveries in the adjoining towns of Tanderagee and Scarva; whether he is aware that English letters for Poyntzpass arriving in Newry at 8 a.m. are detained there for 2½ hours before being despatched the following morning at 5.30 a.m., whilst they could be despatched by the mail train which passes Poyntzpass at 11.45 a.m. every day; and if he will see to this grievance being remedied by having arrangements made that in future the mail train will put off the mails as it passes the town?

**THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.):** The facts are as stated by the hon. Member; but unfortunately the revenue will not admit of more than one post in the day to Poyntzpass. Even now the cost of the service exceeds the available revenue, and I regret that further outlay is not warranted for accelerating the delivery of English letters numbering less than 25 a day, or for the arrangements which would be necessary for exchanging mails by apparatus at the station named.

#### IRISH NATIONAL EDUCATION.

**MR. W. JOHNSTON (Belfast, S.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he explain on what grounds the Commissioners of National Education in Ireland have omitted from the Fifth Book of Lessons the history of the British Constitution, by the late Archbishop Whately, and also 18 articles, by the same author, on political economy, and why five out of the eight lessons on Scripture History have been omitted, and writings substituted which are objected to by Protestants,



and in the Third Reading Book for children from 9 to 12 years of age the last verse of Moore's *Canadian Boat Song*, teaching the Invocation of the Saints, has been inserted; and if this change is made with the sanction of the Government?

MR. J. MORLEY: Before answering this question there are one or two points on which I desire to satisfy myself, and I must therefore ask the hon. Member to postpone it until Thursday.

#### THE QUEENSTOWN MAIL ROUTE.

CAPTAIN DONELAN (Cork, E.): I beg to ask the Postmaster General whether his attention has been drawn to the fact that by promptly availing of the special mail service American letters landed at Queenstown, ex *Umbria*, at 7-30 p.m. on Friday last, were delivered in London at 9 a.m. on Saturday, thus enabling replies to be despatched by the outgoing Cunard liner on Sunday; whether he is aware that under the old system these letters would not have reached London until after business-hours on Saturday evening, and could not therefore have been answered until the following Thursday; and whether, in view of the great benefit which this special service confers upon the mercantile community of Great Britain and Ireland, it will be continued?

MR. MAURICE HEALY (Cork): I beg, at the same time, to ask the right hon. Gentleman whether, pending a decision on the question of the special mail service for American mails between Queenstown and London, now under his consideration, he will direct that the service shall meanwhile go on as heretofore?

MR. A. MORLEY: I am aware of the circumstances referred to in the first two paragraphs of the question, and in the course of a few days I hope to be able to make a communication on the subject alluded to, as I promised to the deputation which I received at the House of Commons on the 11th instant.

#### BOYLE POSTMAN'S GRIEVANCE.

MR. BODKIN: I beg to ask the Postmaster General can he state why Mr. Joseph Kennedy, night postman in Boyle, has been suspended from the discharge of his duties; is he aware that Mr. Joseph Kennedy is universally re-

garded in the town as the most efficient official connected with the Boyle Post Office, and that there is a general belief that he was suspended by the Local Authorities merely because, being a Catholic, he protested against certain proselytism that was being carried on in the office; and will he promptly inquire into the matter, and have this man immediately reinstated in his position if there be no charge against him, or otherwise have a full and public investigation of the entire circumstances of the case?

MR. A. MORLEY: The question only appeared on the Paper this morning, and it has been impossible to obtain information. I have called for a Report on the case, but I should be glad if the hon. Member, and other hon. Members who desire information on purely local matters of Post Office administration, would give longer notice of their questions.

#### GOVERNMENT CONTRACTS IN IRELAND.

MR. MICHAEL AUSTIN (Limerick, W.): I beg to ask the Secretary to the Treasury if he has had inquiries made into the allegations concerning the system under which Government printing and bookbinding contracts are being executed in Ireland; when are such contracts terminable with the present contractors; and will steps be taken to have all printing and bookbinding work executed by firms who comply with the Fair Wages Resolution adopted by this House?

SIR J. T. HIBBERT: In reply to inquiries by the Stationery Office, Messrs. Thom denied that they had acted in any way in contravention of the Resolution of the House of Commons of February 13, 1891. Three of their contracts, those for book-work printing, job-work printing, and lithography, are terminable on six months' notice at any time; the remaining two are terminable as follows:—Vellum binding, September 30, 1897; and leather binding, September 30, 1894. As I have frequently stated, steps have already been taken to carry out the Resolution of the House.

MR. MICHAEL AUSTIN: Is the right hon. Gentleman aware that the Queen's Printers only employ junior labour as regards the binding?

**SIR J. T. HIBBERT** : If the hon. Member wishes further particulars I must ask him to give notice.

#### THE AUSTRALIAN MAIL SERVICE.

**MR. HENNIKER HEATON** (Canterbury) : I beg to ask the Postmaster General whether the time has arrived for calling for tenders for the conveyance of mails between Australia and England ; on what date do the present contracts expire ; and whether the conditions suggested by the Brisbane Conference regarding the new contracts have been approved by him ?

**MR. A. MORLEY** : The present contracts expire on 31st January, 1895. The conditions suggested by the Brisbane Conference have not been approved by me. They involve questions of importance, which I have not yet had time to consider maturely in order to reply to an inquiry from Australia as to their adoption. This must be done before tenders are invited.

#### THE GOVERNORSHIP OF SOUTH AUSTRALIA.

**MR. HENNIKER HEATON** : I beg to ask the Under Secretary of State for the Colonies whether he has received a communication from the Chief Secretary of South Australia on the subject of the retirement of the Governor, Earl Kintore ; whether it is suggested that His Honour Chief Justice Way shall fulfil the duties ; and what reply has been forwarded to the letter ?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BRXTON, Tower Hamlets, Poplar) : No, Sir.

#### THE SOUTH WALES COAL DISPUTE.

**MR. KEIR HARDIE** (West Ham, S.) : I beg to ask the Secretary of State for War whether his attention has been called to the statement that the officers in charge of the troops in South Wales have met in consultation with the Emergency Committee of the mine-owners as to the most effective method of disposing of their forces ; and whether the officers in command of the soldiers in South Wales are authorised to consult with the Emergency Committee of the mine-owners, and not with the Magistrates ?

**THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.) : I have no information on this subject, but have called for a Report, which I have not yet received. I may say, however, that it would be altogether unusual for the military officers to act upon instructions from any but the constituted Civil Authority.

**MR. KEIR HARDIE** : Will the right hon. Gentleman also inquire into the report in the newspapers to the effect that General Sir Richard Harrison is making a round of inspection of troops and is accompanied by Mr. James Williams, of Newport, as representing the Coalowners' Association, and ascertain why a civilian is allowed to accompany the staff on a visit of inspection ?

**MR. CAMPBELL-BANNERMAN** : I have no doubt that that will be covered by the Report ?

**MR. BURNIE** (Swansea Town) : May I ask whether, as according to all accounts there has been no necessity for the military to be sent to Wales, the right hon. Gentleman will take the earliest opportunity of getting them removed ?

**MR. CAMPBELL-BANNERMAN** : No, Sir ; the War Office act upon the requisition of the Civil Authorities, and until that requisition is withdrawn the military will remain.

**SIR C. W. DILKE** : Did the Local Authorities ask for any particular number of troops to be sent ?

**MR. CAMPBELL-BANNERMAN** : I do not know who determined the number of troops to be sent. I think the Civil Authorities determine the districts in which the troops are required. The General commanding the district is there at this moment for the purpose of making the necessary arrangements for the housing and feeding of the troops.

**MR. KEIR HARDIE** : Does Sir R. Harrison propose to provide additional troops, as he has promised the coalowners in response to a resolution of thanks from them ?

**MR. CAMPBELL-BANNERMAN** : I am not aware that he made any such promise ; I think it is very unlikely ; but I would rather wait until I have the Report.

**MR. KEIR HARDIE** : I beg to ask the Secretary of State for the Home De-

partment if he could state what Benches of Magistrates in South Wales have applied for military assistance in the preservation of the public peace; what is the total number of Magistrates who compose such Benches; how many of these are directly and pecuniarily interested in mines; and how many are working men?

**MR. ASQUITH:** I have not the information to enable me to answer this question, very few of the applications having passed through the Home Office, the others were addressed directly to the Military Authorities. If the hon. Member desires it I will obtain this information through the War Office, and place it at his disposal. I have no information which would enable me to answer the inquiries in Paragraphs 2, 3, and 4 of the question. It is improbable that there are any working men in the Commission of the Peace for the counties referred to, as the existing property qualification practically disables the Lord Chancellor from appointing working men to the County Bench. But I must point out that the existing dispute in Wales is largely a question not only between employers and employed, but between two bodies of working men who take different views of their own interests.

**MR. KEIR HARDIE:** Has any application been received from either of those bodies for protection?

**MR. ASQUITH:** No, Sir. Applications for protection are not entertained unless they come from the Local Authorities.

**MR. PRITCHARD-MORGAN** (Merthyr Tydfil): I beg to ask the Secretary of State for the Home Department whether, having regard to the fact that Her Majesty's Government considered it necessary at the request of the coalowners and Magistrates, most of the Magistrates being coalowners, to send troops to Wales to protect such of the workmen as desired to resume work, Her Majesty's Government will favourably consider the advisability of appointing a Minister for Mines, or a Minister for Labour, under whose direction Arbitrators or Boards of Conciliation may be created to settle mining and other labour disputes, with a view of averting the necessity in future of sending troops into districts where labour disputes exist?

**MR. ASQUITH:** It is not the fact that Her Majesty's Government have sent troops at the request of coalowners who are not Magistrates. How many of the Magistrates are coalowners I am unable to say. I should be very glad to see the present barbarous method of fighting out trade disputes superseded, and the necessity for taking exceptional measures for the preservation of order obviated, by the establishment of a well-considered system of arbitration. Her Majesty's Government have introduced a Bill for that purpose, but have not been fortunate enough as yet to secure for it the consideration of the House.

**MR. PRITCHARD-MORGAN:** Do Her Majesty's Government intend in the near future to bring before the House the question of creating a portfolio for mines, or, as in the Colonies, for labour generally?

**MR. ASQUITH:** No, Sir; I cannot hold out any hopes of that.

**SIR J. GORST:** May I inquire whether the Bill of the Government will have the effect stated in the question, and when will the Government bring it before the House for consideration?

**MR. ASQUITH:** The right hon. Gentleman is perfectly well acquainted with the contents of the Bill, because he has taken a peculiar and personal interest in its fortunes.

**SIR J. GORST:** Will the Government bring this most important Bill under the consideration of the House at a time and under circumstances in which it can be discussed?

**MR. ASQUITH:** As the right hon. Gentleman knows, I cannot make any statement upon the order of business, but so far as my recollection goes the Bill has been several times before the House, when if there had been general goodwill and any serious disposition to entertain the Bill it might have been passed.

**MR. BARTLEY** (Islington, N.): Is it not a fact that the Bill was brought before the House at a time when no Amendment could possibly be moved or divided upon?

**MR. ASQUITH:** The Government has not yet been able to secure a Second Reading for the Bill.

**MR. BYLES** (York, W.R., Shipley) was understood to ask if the troops were sent solely at the request of panic-

stricken Local Authorities when there was really no necessity for them?

[The question was not answered.]

#### BOARDS OF GUARDIANS AND THE UNEMPLOYED.

MR. KEIR HARDIE: I beg to ask the President of the Local Government Board whether he can now state the extent of the powers possessed by Boards of Guardians for acquiring land and opening workshops to enable them to set able-bodied destitute persons to work at reasonable wages; whether employment so given necessarily pauperises and disfranchises the recipients; and whether he will cause to be issued a Circular to Boards of Guardians setting forth these powers, and how far the Local Government Board is prepared to co-operate with the Guardians in putting them into operation?

MR. H. H. FOWLER: I will send the hon. Member notice when I am prepared to answer this question.

#### LABOUR IN GOVERNMENT ESTABLISHMENTS.

MR. KEIR HARDIE: I beg to ask the President of the Board of Trade how many labourers in the Government arsenals, dockyards, and victualling stores are receiving less than 24s. per week?

MR. MUNDELLA: I am unable to give the information asked for by the hon. Gentleman. I must refer him to the War Office and Admiralty.

MR. KEIR HARDIE: But have not the Board of Trade had a special Report prepared on this question?

MR. MUNDELLA: A special Report was made for the information of a Committee of the Cabinet on the wages question. The Labour Department, however, has to obtain its information from the other Departments concerned, and the hon. Member must apply to the Department to which his question applies.

MR. DARLING: Is this the Report as to which I put a question last week? If so, is there any objection to extracting from it the information asked for?

MR. MUNDELLA: Certainly there is, for it is a confidential document.

MR. KEIR HARDIE: Will the right hon. Gentleman agree to grant a Return if I move for one?

*Mr. Byles*

MR. MUNDELLA: The hon. Member must apply to the Departments concerned. It is outside the province of the Board of Trade.

#### AGRICULTURAL LABOUR IN SCOTLAND.

MR. BUCHANAN (Aberdeenshire, E.): I beg to ask the Secretary to the Treasury whether the Reports of the Sub-Commissioners, appointed by the Labour Commission to investigate the condition of the agricultural labourers in Scotland, will shortly be presented to the House?

SIR J. T. HIBBERT: I am informed that these Reports will be published in two parts, and that it is hoped that Part I. may be issued in a month's time and Part II. by October. Every effort is being made to expedite the issue.

#### GLASGOW TELEPHONE LICENCE.

MR. CAMERON CORBETT (Glasgow, Tradeston): I beg to ask the Postmaster General if he has considered the application of the Corporation of Glasgow for a telephone licence, and what decision he has come to regarding it?

MR. A. MORLEY: The application was received on the 14th and answered on the 16th instant. I shall be glad to furnish the hon. Member with a copy of the reply.

MR. CAMERON CORBETT: Did the reply say more than that the matter would be considered?

MR. A. MORLEY: Yes, Sir; it dealt with a number of matters.

#### SPECIAL MAIL TRAIN SERVICE TO KINGSTOWN.

MR. MAURICE HEALY: I beg to ask the Postmaster General whether all special mail trains for American mails from Queenstown to Kingstown to catch the ordinary mail boats are detained at Kingsbridge until the ordinary mail train is leaving or only some such trains; and, if only some, in what cases the special train goes on to Kingstown, and in what cases the mails are detained at Kingsbridge?

MR. A. MORLEY: American mails conveyed by special trains arriving from Queenstown during the night are invariably sent on by special train from Kingsbridge, because there is no ordinary train by means of which they could catch the day mail boat from Kingstown; but



those reaching Dublin during the afternoon, in time to admit of their being conveyed from Kingsbridge by the regular mail train, remain at Kingsbridge to be carried on by that train.

#### REGISTRATION OF DEBENTURE BONDS.

MR. BARROW (Southwark, Bermondsey): I beg to ask the Attorney General whether his attention has been called to the failure of H. R. Marks, as reported in *The Standard* newspaper of Thursday, the 10th instant, in which the Official Receiver (Mr. Hough) appears to have said that about five or six weeks before the receiving order was made certain debentures, amounting to £15,000, had been issued by W. Wilfred Head and Marks, Limited, under which the assets of the business were charged in favour of the debenture holders; how were these debentures disposed of, and for what consideration; whether the trade creditors, presuming that they had knowledge of the debtors' intention to charge their security, had any lawful means of protecting themselves; and whether, with a view to increasing the safety of the position of creditors of Limited Liability Companies, he will consider the advisability of introducing a Bill to provide that debenture bonds shall be registered in the same way as bills of sale?

THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, E.): In reply to my hon. Friend, I know nothing of the facts except as appears on the Paper. I cannot, therefore, express any opinion on the second and third branches of the question; but, as to the concluding inquiry, I think there is a great deal to be said in favour of requiring debentures to be registered, and I shall consult the Lord Chancellor on the point.

#### IRISH PRESBYTERIANS AND HOME RULE.

MR. DANE (Fermanagh, S.): I beg to ask the First Lord of the Treasury has he any objection to publishing the Address recently received by him from a number of Irish Presbyterians; and, if not, will he do so?

THE FIRST LORD OF THE TREASURY (MR. W. E. GLADSTONE, Edinburgh, Midlothian): I have no objection.

#### THE INDIAN CURRENCY QUESTION.

MR. EVERETT (Suffolk, Woodbridge): I beg to ask the First Lord of the Treasury whether it is true that an addition is to be made to the pay of the Civil and other servants in India in consideration of the fall which has taken place in exchange; and whether this additional pay will be taken out of the Revenues of India? I desire most respectfully to complain of the great alteration made in the latter part of the question, and claim my right, as a Member of Parliament, to put a question in my own words. The second part of the question ran thus:—

"And whether this additional pay will be taken out of the pockets of the people of India at the same time when their own free supply of rupees"—

\*MR. SPEAKER: Order, order! That is a controversial question.

MR. W. E. GLADSTONE: The origin of the proceeding in this matter has taken place in India, and the Secretary of State in Council has simply agreed to the proposals of the Government of India. By these proposals European officers will receive an exchange compensation allowance, and that allowance will enable them to forward half of their salaries to Europe at the rate of 1s. 6d. for the rupee.

MR. EVERETT again proceeded to press his question, and suggested there was nothing controversial in the part struck out.

MR. SPEAKER: Order, order! It is impossible to have an essay under the guise of a question.

#### THE NATIONALISATION OF MINES.

MR. WOODS (Lancashire, Ince): I beg to ask the First Lord of the Treasury if he is aware that the coalowners in the Midland Counties have locked up their mines against their workmen, and thereby thrown out of employment over 300,000 miners, and indirectly over 500,000 other workers; whether he is aware that the proposals of the coalowners in the action they have taken has caused a revulsion of feeling in the public mind against them; and whether, with a view of pre-

venting these periodical conflicts between capital and labour, Her Majesty's Government will be prepared to initiate, or if introduced next Session support, legislation having for its object the nationalisation of Mines and Royalties rents?

MR. W. E. GLADSTONE: The question of mining royalties and mines is a very large one indeed, upon which undoubtedly I should not feel myself justified in giving any opinion on my own behalf or on behalf of my Colleagues without a much fuller study than I have had an opportunity of giving it. The hon. Member will see how vast a question it would be to take the property in fee simple in mines and royalties into the possession of the State evidently with a view to the consequent intervention of the Government through the medium of the Executive. I am afraid I can only say I am quite certain that when the question is brought forward it will be most carefully and comprehensively examined. My hon. Friend is no doubt aware that it has been recently considered by a Commission. Then, with regard to the occurrences in Wales, I fear that I have no information that would justify me in speaking upon them or professing to supply hon. Members with information other than such as they may gather from sources open to all, nor would it be wise on my part to do so in view of the state of public sentiment in the districts where the difficulty between employers and employed has occurred.

#### THE GUILLOTINE RESOLUTION.

MR. A. J. BALFOUR (Manchester, E.): After the Resolution which was passed yesterday, I understand that on Friday, when the Amendment under discussion is concluded at 11 o'clock, we shall only divide on the Government Amendments. I suggest that it would be for the convenience of the House if the Government Amendments could be printed separately without the Amendments on which we cannot divide.

MR. J. MORLEY: I will see if that cannot be done.

*Mr. Woods*

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL.

(No. 428.)

#### CONSIDERATION. [ELEVENTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment, as amended, proposed [18th August] on Consideration of the Bill as amended;

And which Amendment, as amended, was, in page 3, line 7, after Sub-section (4), to insert, as a new sub-section, the words—

“(5) Directly or indirectly imposing any disability, or conferring any privilege, benefit, or advantage upon any subject of the Crown on account of his parentage or place of birth, or of the place where any part of his business is carried on, or upon any Corporation or Institution constituted or existing by virtue of the law of some part of the Queen's dominions and carrying on operations in Ireland, on account of the persons by whom or in whose favour or the place in which any of its operations are carried on; or.”—(*Mr. J. Morley.*)

Question again proposed, “That those words, as amended, be there inserted.”

Debate resumed.

SIR J. GORST (Cambridge University) said, he did not propose to detain the House at any length on this matter; but he was bound to say he did not fully understand the object of the Amendment, nor did he particularly care. But he scarcely thought it right to establish separate legislation of this kind for Ireland, nor ought they to create within the limits of the United Kingdom separate nationalities having separate rights. He would therefore move, as an Amendment, the insertion, after the word “birth,” of the words “or residence.”

Amendment proposed to the proposed Amendment, in line 3, after the word “birth,” to insert the words “or residence.”—(*Sir J. Gorst.*)

Question proposed, “That the words ‘or residence’ be there inserted in the proposed Amendment.”

\*SIR C. RUSSELL said, the Government could not accept the clause, as it would make a substantial difference in the scope of the clause. To include “residence” would affect the powers of the Legislative Body as to franchise eligibility for office, and in other ways.

**MR. A. J. BALFOUR** : That statement throws a curious light on the clause. Without the Amendment proposed by my right hon. Friend the clause would enable the Irish Legislature to deal differentially with, say, absentee landlords. Do the Government desire that? I cannot believe that that is their intention. The Amendment of the Chief Secretary purports to aim at preventing any disability, benefit, or advantage being created in respect of any subject of the Crown as distinguished from other subjects. The Amendment to the Amendment will effect the purpose more completely; and, therefore, I cannot understand the Government's objection to it. It is clear that without it the Irish Government will be able to carry out a differential treatment which Parliament neither contemplates nor proposes. Will the Chief Secretary explain why they persist in refusing to accept this Amendment, seeing that such differential treatment as it is aimed at would be essentially unjust?

**MR. J. MORLEY** : The course of legislation the right hon. Gentleman opposite fears might be adopted by the Irish Legislature in the case of Irish absentee landlords has been already adopted by the Legislature of New Zealand. There is no intention to prevent the Irish Government to put a tax upon possessors of land who do not reside on the land. I think that the Government have fulfilled all their pledges in relation to this matter, and therefore I cannot accept the Amendment.

**MR. GIBSON BOWLES** (King's Lynn) said, he thought the right hon. Gentleman had forgotten that on this clause and another clause attention was called to the fact that, as it stood, the Bill would enable the Irish Government to impose the differential treatment of fishermen. In the case of fishermen, their "business" was carried on at sea. English, Scotch, Manx, and French fishermen all fished off the Irish coast; and their place of "business" would, therefore, he supposed, be the same as that of the Irish fishermen, but their places of residence would be at Lowestoft, Wick, or elsewhere. He understood that it was the intention of the Government to protect British fishermen in carrying on their industry. [Mr. J. MORLEY assented.] As the clause

stood it would not protect them; and he, therefore, hoped the Government would assent to the Amendment.

**MR. ARNOLD-FORSTER** (Belfast, W.) said, the Chief Secretary for Ireland had given a hint which was equivalent to an invitation to the Irish Legislature to put a tax upon landlords who were compelled to live out of Ireland. The Irish people had been told scores and hundreds of times that it was their duty and their interest to hunt the landlords against whom this threat was directed out of the country. An organisation had been put in force against the landlords which, in some instances, had proved effectual; and he thought it ought to be made quite clear that the House was face to face with a situation in which the practice of making life intolerable to a certain class of Her Majesty's subjects would be supplemented by a statutory penalty, inflicted, on the invitation of the Government, upon that class because, to use the words of the Nationalist Members—"Ireland had been made too hot to hold them." So great had been the power of hon. Members that they had induced the Chief Secretary for Ireland to introduce this vindictive provision into the Bill.

**MR. SEXTON** (Kerry, N.), referring to the speech of the hon. Member for King's Lynn (Mr. Gibson Bowles), remarked that the sea was not the only place where a fisherman's business was carried on. Although he caught his fish on the sea, he sold them on shore. If he sailed from and returned to Wick, that would be his place of business, and he would be protected under the subsection as it stood. The addition of the proposed words would make the subsection absurd. It would be strange indeed if the sub-section were made to read in such a way as to infer that residence in Ireland was a reason why any advantage should not be given to a man under an Irish Bill. The hon. Member for West Belfast (Mr. Arnold-Forster) had spoken as if absenteeism was something that was imposed on landlords by the people of Ireland. The hon. Member was new to politics, and not very old in years, or else he would be aware that long before the Land League came into existence Irish landlords had a habit of living out of Ireland, and that absenteeism had given a great

impetus to the land movement. Absenteeism is one of the results of the Act of Union. He hoped that under this Bill the state of things would be reversed, and that landlords would be again content to live in Ireland. He asked the House whether it would be well to deprive the Irish Legislature of the power of providing that men who drew their incomes from the toil of the people and spent them away from Ireland should not be called upon to contribute some special aid to the Revenue of the country they deserted? The Imperial Parliament before the Union had more than once imposed taxes on absentee Irish landlords for the purpose of obliging them to stay in Ireland and to protect British interests. He thought that what the Imperial Parliament had done in this respect the Irish Parliament might do. It was calculated that out of about £12,000,000 of Revenue £4,000,000 were taken out of Ireland. That was one of the secrets of the poverty of the country. There was no principle more clear than that the Legislature of a country had a perfect right, if public opinion approved, to levy a fine upon these men. Of course, the landlords paid Income Tax upon the £4,000,000 a year taken out of Ireland, and the assessment of that income, from which Ireland had no benefit whatever, formed part of the Imperial Revenue. If the fact that rents were taken out of the country to be spent elsewhere was regarded as a reason why Ireland ought to contribute at a specially high rate to Imperial Expenditure, it was also a reason why the Irish Legislature should have the power to impose a tax upon those who spent their income out of Ireland.

MR. BYLES (York, W.R., Shipley) said, he had been somewhat surprised to hear the hon. Member for West Belfast (Mr. Arnold-Forster) talking of Irish landlords as a hunted class. He himself had always regard the Irish tenants as a hunted class. He could take Members to places in Ireland where every human face wore a hunted look. [*Cries of "Where?"*] It was in County Kerry, on Lord Ormathwaite's estate. These people had been evicted from their homes and were afraid to let their children creep back to them for shelter, but lay in ditches night after night. The

tenants of Ireland had been hunted from their homes for generations past. In his own town—an inland English town—there was a population of 25,000 Irish people. This meant that these people had been hunted out of Ireland. The last time he went to Ireland he visited the estate of a landlord in the West, through whose property one could drive 40 miles in a beeline. He visited some of the tenants this landlord was threatening to evict. They were in the very lowest depth of poverty, were living on the slightest food, and were imperfectly clothed and sheltered; and yet the only home on that vast estate in which the owner did not desire to live was the home of the landlord, the Marquess of Sligo himself—a great square mansion in a magnificent domain with every comfort and luxury, and with beautiful scenery and plenty of fishing and shooting surrounding it. No doubt, he (Mr. Byles) took strong views on this question, but he asked the House what was the title of the Marquess of Sligo, or of any man, to own a vast country or a vast territory in Ireland, or anywhere else, if the only thing he did in relation to the population living in it was to extract rent from them. The people of this country would some day rise up and say—“Why should this man own this land; and why should any man own any land unless he returns to it something of that which he gets from it.”

MR. MACARTNEY (Antrim, S.) said, he quite admitted that the hon. Member who had just sat down was entitled to express the most extreme views he held on any subject; but he was surprised that he had not expressed his horror at the holding of any land whatever. The hon. Member said he had seen in the West of Ireland people with terror-stricken faces. So had he (Mr. Macartney), but the terror was not of the landlord, but of the Land League.

MR. BYLES: It has been their only salvation.

MR. MACARTNEY said, he was very much afraid that the people he referred to did not look on the Land League as their only one salvation. The hon. Member for North Kerry (Mr. Sexton) desired to tax absentee landlords who had been driven out of Ireland. He (Mr. Macartney) should have thought

*Mr. Sexton*



the hon. Member would not have ventured to bring forward that argument, because it was in direct conflict with the opinion of another distinguished Member of the Nationalist Party, the hon. Member for North Louth (Mr. T. M. Healy), who had declared that when he saw great houses untenanted in Ireland he said to himself, "Glory be to God." Ireland was not the only country in the world where there were absentees. There were numberless landlords in England who were not always to be found upon their property. There were many citizens of the United States who were not to be found in the country where they had made their fortunes. He could not conceive on what ground of justice or morality the House could authorise the Irish Legislature to pass a law against absenteeism, which they would only be enabled to enforce because the absenteeism they derided was simply the result of the policy of those who permitted such a law. If there were districts in Ireland where landlords were no longer to be found living on their property it was because Nationalist Members had never hesitated to attack those landlords. They had generally chosen the best landlords for attack because, as they had often expressed it, a good landlord was the greatest obstacle to the success of their policy in Ireland. He was certain that the House of Commons would never consent to perpetrate such an outrage as was now proposed upon all principles of morality and justice.

MR. FLYNN (Cork, N.) said, it could not be denied by anyone who knew anything of Irish history that Ireland had been long regarded by many landlords as simply a place from which to draw money. One of the standing grievances of Ireland had been that the owners of large properties returned nothing to Ireland but the commissions they sent to their agents. If the Amendment were adopted the result would be to tie the hands of an Irish Legislature in such a way that it would be impossible for it to undertake any useful work in connection with the development of fisheries and other industries. For instance, it would interfere with the continuance and extension by the Irish Legislature of the work commenced on a very small scale at Baltimore in the shape of fishery schools,

where nets were made, fishing was taught to boys, fish-curing was taught to the inhabitants, and where loans were granted for the making of boats. The Amendment was utterly unnecessary, and would possibly work very great mischief.

\*VISCOUNT CRANBORNE (Rochester) contended that, unless the Amendment were agreed to, it would be possible to inflict disabilities on Scotch fishermen because they resided in Scotland, and on English fishermen because they resided in England. The reason why the Amendment was resisted by the Government was that they wished to allow the Irish Legislature to attack those landlords whom the Prime Minister declared it would be an obligation of honour to defend. He (Viscount Cranborne) quite agreed that an absentee landlord was not as good as a resident landlord; and yet if a distinction were to be drawn between the two classes of men the absentee landlord might be robbed of everything he possessed. Did the hon. Member for North Kerry (Mr. Sexton) wish it?

MR. SEXTON: Not at all. I think a tax would induce them to live in Ireland.

\*VISCOUNT CRANBORNE said, he thought a tax of the kind would have the effect of destroying the whole class of resident gentry in Ireland, which in his opinion would be a great disaster. The investor might be attacked as well as the landlord. If the sub-section passed in its present form it would be possible for the Irish Legislature to make a distinction between investors on account of their place of residence, and all dividends paid in England or Scotland, or even in Ulster, might be heavily taxed. It was perfectly clear if the Government did not accept the Amendment they would have broken the spirit of their pledge. He knew that the landlords were unpopular on the other side of the House; but if hon. Members opposite had no sympathy with the landlords they ought to have some sympathy with the investors, because if the investors were oppressed it would be disastrous to Ireland by discouraging investments.

MR. MAC NEILL (Donegal, S.): Hear, hear!

\*VISCOUNT CRANBORNE said, he did not think hon. Members from Ireland so wise as all that. If they were wise they would not have quarrelled with Eug-

land; and just as they had done their best to rob every landlord and drive him out of Ireland, they would do their best to rob every English and Scotch investor unless prevented by the insertion of the Amendment in the Bill.

MR. MAC NEILL said, he would appeal from one noble Lord to another noble Lord. In 1773 Lord Chatham recommended that a tax should be imposed by the Irish Parliament upon absentee landlords; and he recommended it, moreover, as an English politician. Another great man also—Adam Smith—recommended, as an Englishman, and in the interests of the British Empire, that a tax should be placed on absentee landlords. In 1773 Lord Harcourt, who was then Lord Lieutenant of Ireland, sent over a recommendation to allow the Irish Parliament to tax absentee landlords 2s. in the £1 on their rental; and Lord Chatham, speaking of that recommendation when it was accepted, says—

“My opinion, after weighing again and again the whole matter, is that it is most advisable not to meddle in urging the Royal Prerogative to repeal the Bill for taxing absentees, should such a Bill be sent over. The operation of the Bill is extremely severe, no doubt, against absentees; but the principle of that severity seems founded on strong Irish policy, which is to compel more of the profits of improved estates in that Kingdom to be spent by the possessors there amongst their tenants, and on their own consumption, rather than in England and in foreign parts. England, it is evident, profits by draining Ireland of the vast incomes spent here from that country; but I could not, as a Peer of England, advise the King, on principles of indirect accidental English policy, to reject a tax upon absentees sent over here as the genuine desire of the Commons of Ireland acting in their proper and peculiar sphere, and exercising their inherent exclusive right of raising Supplies in the manner they judge best.”

The Irish Parliament was willing to act on Lord Chatham's opinion. Who obstructed them? The absentee English landlords, headed by the Marquess of Hartington. The tax was then rejected through English influence by the Irish Parliament. The Irish landlords themselves were in favour of an absentee tax, because the Irish Parliament at that time was practically a landlords' Parliament. In 1797 Mr. John Le Fouche, an eminent Dublin banker, proposed an absentee tax with the full consent of the Lord Lieutenant of the day, Lord Camden. Mr. Lecky stated that Lord Portland, who was Secretary of State in England, gave the Lord

Lieutenant peremptory orders that the tax must be rejected. Lord Camden, in describing the result, said that it was impossible to describe the ill-humour which pervaded all descriptions of persons, even in the Government Departments; and he referred to

“the great disgust with which most of the friends of the Government support its present intentions,”

(that was in opposition to the measure). As the amount of rental taken out of Ireland 100 years ago was £1,000,000, and was now £4,000,000, the necessity for an absentee tax was now four times greater than it was then. Mr. Lecky attributed all the miseries introduced by middlemen and agents to the want of a resident gentry in Ireland; and it would be the first duty of an Irish Parliament to encourage, and to the best of their ability to promote, measures to bring all classes of society into harmony and peace in Ireland.

COLONEL SAUNDERSON (Armagh, N.) said, he thought the House would agree that the prospects of the Irish landlord under a Home Rule Parliament would not be one absolutely to be desired. If he remained in Ireland he ran a fair chance of being shot; if he got out of range he was to be taxed. That might seem the language of exaggeration. But those were the doctrines of the Land League, and they had been informed by Nationalist Members that if the Irish people stuck to the doctrines of the Land League the result would be that they would get rid of landlords altogether. So the Irish landlord in the future had not a very rosy look-out. He wished to be allowed just to quote a speech by the Leader of the Home Rule Party. The hon. and learned Member for North Louth (Mr. T. M. Healy) said—

“Now, I would tell Lord Granard's tenantry, in dealing with unjust landlords, that I would feel no more compunction in seeking my own rights than I would in driving a rat out of a hayrick. I look on them exactly in the same light; but, of the two, the rat is the more respectable animal, because, at any rate, God made the rat, but the landlord is a human invention. A rat eats nothing he has not stolen. A landlord could, at any rate, do a day's work, and very soon I hope to see the courage of Maynooth squeeze him out as you squeeze out a lemon or orange, and when they throw away the skin I hope to see you give it a kick and send it to its proper place.”

That was how the hon. and learned Member for North Louth intended to

encourage absentees to live in Ireland. He did not approve of absentees. They were a misfortune, but there were other absentees besides landlords. He should like to have a Return of the number of absentees who sat among the Nationalist Party. If a Return were asked for and accurately made, it would surprise them, as it would show the number of Irish patriots who were absentees to such an extent that they proved their love of their country by living out of it. The Attorney General for England said not long ago that the landlord class was a class for whom nobody had any sympathy. He had just as little sympathy for the Irishman who came over to England, made a large fortune in this country, and spent not one farthing of it in his own country. Such a man was the Attorney General himself. To bring absentees back to Ireland they must insure them the just protection of the law, and make Ireland a happy and peaceful country. But the idea of encouraging absentees by placing supreme authority in the hands of the leaders and guides of the Land League was the most astounding proposal he had ever heard. Only a fortnight since we were told that if the Irish people stuck to the tenets of the Land League they would sweep the landlords away altogether. Yet the Government now blamed the landlords for not going to a country where they were to be treated like rats. The hon. Member for South Donegal took an unhappy step in holding up the Duke of Devonshire as an absentee.

MR. MAC NEILL explained that he was speaking of the Duke of Devonshire of a century ago.

COLONEL SAUNDERSON said, that the present Duke, on recently visiting his Irish tenantry, had a most cordial reception from them. But it was proposed that he should be taxed by the future Parliament in Dublin. He could not understand how the Government could persuade themselves that it would be for the good of Ireland to give the future Home Rule Government, which they fondly hoped might come, a power which, to his mind, would be absolutely destructive of the existence of the landlord class in Ireland, without which it was impossible to establish in Ireland those social relations and social conditions

which alone could tend to the prosperity of the people of Ireland.

MR. VICARY GIBBS (Herts, St. Albans) said, he desired to ask the Attorney General what the position of Insurance Companies would be if the clause of the Chief Secretary for Ireland was passed? Would they be protected from exceptional taxation by the Irish Parliament? As was well known, the Insurance Societies had large mortgages on the Irish land; and the Building Societies, which held the money of the poor, had also large sums invested in land in Ireland.

MR. J. MORLEY: That point will be raised by an Amendment further on.

MR. VICARY GIBBS said, he should like to know how a distinction was to be drawn between the legal owners of the land, such as Insurance Companies, and the ordinary owners, the landlords, if exceptional legislation was to be enforced by the Irish Parliament on holders of land non-resident in Ireland? If the mortgagees were to be protected, and the ordinary private owners not to be protected, he would like to know on what ground the Government thought it just to put exceptional legislation in force against single individuals who owned land, and unjust to enforce it against Corporations who owned land in the same manner?

MR. W. REDMOND (Clare, E.) said, the hon. and gallant Member for North Armagh had treated the House to a recital of old speeches by Members below the Gangway. He did not think there was much to be gained by quoting from old speeches; but if the hon. and gallant Gentleman wished the House to believe that the practice of making violent speeches was all on the side of the Nationalist Members, he was asking them to believe what was not true. Within the last year—within the last few months, he might say—quite as violent, quite as dangerous, and quite as disloyal speeches had been uttered by hon. Gentlemen belonging to the Party of which the hon. and gallant Member for North Armagh was the Leader. He had quoted from the speeches of one or two Members below the Gangway in which some violent expressions were used in reference to certain landlords. He (Mr. W. Redmond) asked the House to bear in mind that the worst of the strong lan-

guage used by these Members against landlords was used at a time when the Irish people were absolutely threatened by the shadow of another famine in the country.

COLONEL SAUNDERSON: The date of the speech from which I quoted was 1887, and there was no threatened famine then.

MR. W. REDMOND said, if the hon. and gallant Member had done him the honour to listen to what he said, he would have found that he did not make particular reference to the speech which the hon. and gallant Member quoted, but to the language which was used 10 or 12 years ago, and now quoted so frequently by him and his friends. In the circumstances which prevailed at that time in Ireland, with famine threatening the people, with the knowledge of what the people had suffered before from such visitations, with an eviction campaign in full swing, people being driven from the country, and starvation staring them in the face, surely a large excuse could be made for the use of strong language, if, while all these things were occurring in Ireland, the Irish landlords were drawing princely incomes from the Irish tenants and spending them in England and elsewhere, utterly indifferent to the fact that their dependants, who had earned the money by the sweat of their brow, were face to face with terrible suffering. A good deal had been said about the terrorism of the Land League. It was his opinion that if there had been no absentee landlordism, with all its attendant evils in Ireland, there would not, in all probability, have been a Land League in Ireland at all. The Land League and all similar tenant combinations were the direct result of the neglect of Irish landlords to perform those duties and obligations which the landlords of all other countries recognised as belonging to their position. Twenty years ago the hon. and gallant Member for North Armagh and his friends had the whole representation of Ireland in their own hands; they could drive their people to the polls, and they drove them to the polls. There was no Ballot Act and no Land League to protect the voter.

COLONEL SAUNDERSON said, the Ballot Act came into operation in 1870.

*Mr. W. Redmond*

MR. W. REDMOND said, the Ballot Act did not come into operation till 1872. He was, therefore, right in speaking of 20 years ago. At that time there was no check whatever—no organisation or league to impose any check—upon the power of the landlords in Ireland. They had the absolute and unfettered control of the representation of the country, and the management of everything connected with it. And what better was the country then? Would anyone deny that the suffering of the Irish people, and the misery of the Irish people, was immensely greater at that time, when they were under the control of the landlord? The hon. and gallant Member for North Armagh was himself a landlord; but he was not an absentee landlord—he lived in his own country—and he knew perfectly the truth of the statement he now made; that if every landlord had lived on his estate in Ireland and become acquainted with his tenants, and shown some sympathy with the people, who were spending their lives from early morning to late at night reclaiming and cultivating the land, there would have been a good feeling between landlord and tenant, and the Land League would not have been necessary at all. The hon. Member for South Antrim denounced the tyranny of the Land League in Ireland. It was a strange fact that the very people who had taken the greatest advantage of the benefits obtained for the tenants by the Land League lived in the very constituencies represented by the hon. Member and his friends. Let them remember the legislation that was the direct results of the operations of the Land League. The successive Irish Land Acts were passed as the direct result of the agitation throughout Ireland, and they were never dreamt of until the Land League came into existence. If that legislation could be blotted out, and the landlord once more endowed with an unfettered control over the people, and an unlimited power of fixing rents; and if a proposition were made to that effect, what reception would that proposition meet with at the hands of the constituents of the hon. and gallant Member for North Armagh? Those men who denounced the Land League were the first to go into the Courts and take advantage of the benefits which were the



direct result of the action of the League. They were asked to believe that the Irish landlords were a long-suffering class. What was the history of landlordism in Ireland? During the last 50 years the population of Ireland had been reduced by one-half. The half of the people either died in the fields or were driven to America and other parts, and this was the direct result of absentee landlordism. One of the most glaring cases was that of Lord Dillon in the County of Mayo. This was a man who exercised power over the lives and fortunes of a great many people whom he did not know living on an estate he had never seen. He had never been to it, and he had never bought so much as a box of matches in Ireland. Yet this man drew an income of £20,000 a year from these people, and spent it in England and other places out of Ireland. The Plan of Campaign was established on this estate, and its operation was necessarily followed by trouble and turmoil and disturbance. This was what absenteeism had done for this part of Ireland. Another great offender was Lord Clanricarde, who never visited his estate, who never went to Ireland at all, but who drew a magnificent income from Ireland, and never spent 1s. there, and never had any communication with his people except to extort out of them in rent more than they were able to pay. Yet these men, who drew the last penny they could out of the people of Ireland, and never spent 1s. among them, were to be treated in the same way as those Irish landlords who lived on their property, knew their tenants, and tried to do their duty, as most English landlords did. To deprive the Irish Parliament of the power of dealing with this matter would, in his opinion, be a grave mistake, for absenteeism had been the cause of most of the trouble in Ireland. It had been said that the tenants had been led away by agitators. The Irish people were very much like other people. They would not join any organisation or elect a Member of Parliament of a certain Party unless they saw good reason for doing so; and there never would have been a tenant Representative in this House or any tenant organisation in Ireland had not the people been forced into these measures by the absentee landlords. The defence which the hon. and

gallant Member gave of absentee landlordism in Ireland was a very weak and milk-and-water defence indeed, because the hon. and gallant Member could not deny, could not pretend to deny, that absentee landlordism was one of the greatest curses from which the Irish people had ever suffered.

MR. CHAPLIN (Lincolnshire, Sleaford): If I understand the position correctly, it is that Her Majesty's Government object to accepting the Amendment moved by my right hon. Friend on the ground that it would be unduly limiting the powers of the Irish Parliament. It has been intimated, I believe, from the Irish Benches, that circumstances might arise which, in their opinion, would make it desirable and justifiable, or necessary, that taxation of some kind or other should be imposed upon absentee Irish landlords. From that view, and with that policy—which, I understand, is evidently contemplated in the future—Her Majesty's Government in no way dissent. I should be the last person in the world to stand up in this House for the purpose of defending absentee landlords, whether they be absentees from Ireland or from their estates in England or elsewhere. I am bound to say that if that is to be the principle on which we are going to act on this occasion, it opens up some very serious questions indeed, and questions which up to the present time have not received one single moment's consideration during the whole course of these Debates. The first question I must ask Her Majesty's Government is this—What do they mean by absentee landlords? If you are legislating upon these principles, you must have a definition of absenteeism, undoubtedly, in your Bill. We cannot generalise from one or two individuals, such as those which have just been quoted by the hon. Member who has just sat down. There are black sheep, undoubtedly, in every flock; and I have no doubt that in England, as well as in Ireland and all other countries in the world, it would be perfectly possible for you to find some landlords who deservedly may be stigmatised as absentees. But what is an absentee? How many months' residence do you require to prevent a landlord being an absentee? How long and how often is he to reside upon his own estate? I take the case of a

Member of Parliament. In the present state of things in the House of Commons we are called upon to sit here, at all events during the present year, for something like nine months. Is the Irish landlord to be debarred from fulfilling his duties as a Member of Parliament; and because he does fulfil these duties and sits for nine months in the House of Commons is he, therefore, to be termed an absentee and be subjected to all the pains and penalties that the Irish Parliament in the future may inflict? These questions, which are decided so hastily, ought at least to receive the attention of the Government, and they should certainly do something to define in their Bill what is meant by an absentee. I should like to ask another question. Many of these landlords in Ireland are absentees. What are most of them? Most of them are great proprietors who own great estates, and who also have great duties to perform in this country as well; but nobody would deny that it is from that very class that the best landlords in the whole of Ireland are to be found, and these are the men who are to be selected for taxation or for fines at the discretion of the new Irish Parliament, and as to whom the present Government have not a single syllable to utter in their defence. The hon. Member alluded just now to Lord Hartington, and spoke of him as one of those conspicuous instances of absenteeism—

MR. MAC NEILL: I did nothing of the kind. I spoke of the Duke of Devonshire of a century ago, who was an absentee landlord, and who prevented, through his influence, the absentee tax.

MR. CHAPLIN: Of course, I accept anything that the hon. Member says; but I think I heard him mention the name of Lord Hartington, and it may be thought excusable under the circumstances. But I take the present Duke of Devonshire as a type and instance of the class of landlords of whom I am speaking. If you go through the whole of Ireland at the present moment you will not find one estate, North, South, East, or West, which has been more admirably managed than that of the present Duke of Devonshire, or a landlord who has dealt with greater liberality with the tenants of every class. I heard a rather humorous story told of a visit of the present Duke to Lismore

which happened some time ago. He had a very great reception—perhaps a reception which at this moment is significant in that part of Ireland. But even the gathering on that occasion was not altogether free from agitators, and an agitator in the crowd cried out, “Three cheers for Home Rule,” whereupon he was surrounded by a large mob, who said, “Say it again,” and he said it again. Unless I am very much mistaken, he very shortly afterwards found himself in the river. I do not think a more unfortunate proposal than that of taxing every absentee could be made. I want to ask another question. If the Irish landlords are absent, who is responsible for it? What has been the character of our land legislation in Ireland during the last few years? What did you do in the Act of 1881? You took all control of his property from the landlord; you absolved him from his duties, and left him in the position of having nothing but a rent charge upon his estates. How is it possible, under these circumstances, that owners of property in any country in the world should continue to take in the future the same interest in their property as they have done in the past? I do not wish to defend absenteeism; but if justification was needed for the landlords in Ireland who are away from their properties at the present time I should point to the Land Act of 1881, and should say by that Act alone they had been absolutely absolved from any charge of absenteeism whatsoever. But, supposing this Bill is carried in its present shape, supposing this Amendment is refused, supposing the number of other Amendments which have been put forward time after time during these discussions are thrown aside by Her Majesty’s Government, do you think that this is the kind of legislation which will encourage landlords to be more resident in Ireland in the future than they have been in the past? Under whom will they hold their properties, and upon whom will their fortunes depend in the future? Upon that new Executive of which we have heard a good deal in the course of these Debates. Although, owing to the system of Closure, we have not yet had an opportunity of raising the whole question of the position of the landlords under the new Executive, as I had hoped and intended to have done, everybody

*Mr. Chaplin*

knows of whom that Executive will be composed. Everybody can form for himself a fair anticipation of what their probable action will be in the future, and what else are we to judge from than from the old speeches of hon. Members? We have heard declarations made over and over again by them; and they, in all probability, will be Members of the Irish Executive. We have never heard one syllable of these speeches publicly withdrawn; and, although they have been challenged over and over again to do so, not one of them has ever repudiated the intention of taking any line in the future different from that which he has adopted in the past. I cannot conceive how it is possible for men in their senses to look otherwise than with the greatest suspicion and apprehension and alarm upon the fact that the landlords' fortunes will in the future be in the hands of men such as these of whom we have every reason to suppose the new Irish Executive will be composed. I wish also to ask another question. If you are going to apply this principle to Ireland are you going to do the same thing to England or are you not; if not, why not? The House, I hope, will think, and even the Government will admit, that I am justified in submitting this case and putting these questions to them. I am not speaking at the present moment—I hope I have never spoken—from any motive whatever of unduly delaying the business of the House; I am trying to the best of my ability to defend the interests of the class of that country which I think has been too often most cruelly treated in the last few years. Not so very long ago the Prime Minister found himself in great difficulties and in conflict with the Representatives of the Irish people, and he did not scruple then to appeal to the landlords to come forward to his assistance to enable him to govern Ireland not in accordance altogether with Irish ideas, but ideas which animated him and his colleagues at that time; he did not scruple in those difficulties to appeal to them on those occasions. Now, what regard at all has he shown to the interests of the Irish landlords. Their fortunes and their futures are to be entrusted to a small body of men whom he has described as men who are “preaching the doctrines of public plunder.” I know perfectly well that the right hon. Gentleman on a

former occasion in this House repudiated that statement, except so far as it related to Mr. Parnell. I grant you that is true; he never identified any of the gentlemen who we may expect will be Members of the Irish Executive; but he did identify them as a small body of men “preaching the doctrines of public plunder” in the most emphatic way, because he imprisoned them at the same time as Mr. Parnell. Therefore, I think, the right hon. Gentleman will not be surprised with regard to men, whom he himself found it necessary to imprison for preaching the doctrines of public plunder, that I, speaking as a landlord myself, and as one endeavouring to defend the rights of my brother landlords in Ireland, should call the attention of the House of Commons to the difficulties in which they must inevitably be placed. I hope Her Majesty's Government will take this matter more deeply into their consideration; and that they will, at all events, take care that there are inserted in this Bill provisions which will make it impossible that the Irish landlords should be taxed for their absence from their country. Failing that, I am bound to say, badly as they have been treated in the past, the right hon. Gentleman will have inflicted another injury upon a loyal body of men in Ireland.

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): The right hon. Gentleman who has just sat down appears to be under the impression that this Bill contains legislation prejudicial to landlords, and especially to absentee landlords, and he said more than once that we ought to put into the Bill a definition of an absentee landlord.

MR. CHAPLIN: I said if you refuse this Amendment.

\*SIR J. RIGBY: Exactly so. If we refuse this Amendment we must put into the Bill a definition of an absentee landlords. Why in the Bill? We are saying nothing about that; we say nothing about absentee landlords in the Bill. The right hon. Gentleman seems to think that this question is now being mooted for the first time. We are asked to excuse from all possibilities of legislation on the part of the Irish Legislature anything that shall place the non-resident landlord under disability. Now, I should just like for one moment to recall to the House what has taken place before. An hon. Gentle-

man got up and said that there was a law in New Zealand that taxed the absentee landlord at a different and a higher scale to those who were resident. He demanded to know whether there was a prohibition in this Bill against any such legislation; and there and then he was told—and it was not the only time on which a similar statement was made—that the Government had no sort of intention of legislating in that way. Then the right hon. Gentleman the Member for the University of Cambridge suggested that this had been forgotten, and that, no doubt, the Government would do at once what they had always said they did not intend to do, and accept, as a matter of course, the words “or resident.” We have intended, so far as relates to any legislation which must take place in the Imperial Parliament, not to interfere in these matters at all. When it is considered of what importance it will be to Ireland, and, therefore, to the Executive Government of Ireland, that matters shall proceed there as regards people in England or elsewhere on terms that will be advantageous to Ireland, I think it is too much to suppose that they should not fairly be left to deal with these matters. With regard to the observations of the hon. Gentleman the Member for the St. Albans Division respecting mortgages, I would ask the hon. Gentleman to consider whether it is likely that any Irish Legislature would undertake to pass laws which would prevent money going into Ireland. Could there be any clearer interest than that they should make the laws, as far as possible, advantageous to such mortgages? The hon. Gentleman asked me, I think, what I considered would be the position of a mortgagee as to the possibility of legislation against him. Well, I think that was pointed out on Clause 4 as to Insurance Societies, and the distinction between Insurance Societies and individuals. I do not think there would be any legislation that could take effect in regard to mortgages of individuals which would not operate at the same time with regard to mortgages of Insurance Companies. But when we are asked to prohibit all legislation in regard to persons who are not resident, whether they be mortgagees or others, you have got to consider that you exclude equally

*Sir J. Rigby*

beneficial and disadvantageous laws. If there were a clear danger that the Irish Legislature should be so foolish and absurd as to endeavour to keep capital out of their country, it might possibly be right to guard against that danger; but I say there is no danger of that, and it would be utterly wrong to attempt to provide for any such thing.

MR. DARLING (Deptford) said, it seemed to him a pity that the Solicitor General should have taken, as a matter of fact, a somewhat narrow view of this question. If they excluded altogether the speeches that had been made from below the Gangway, it would be possible to persuade the House that the Irish Parliament would not do anything to prevent English capital being invested in that country. But the Solicitor General argued with regard to Irish character from what he knew of the ordinary litigants in the English Court of Chancery. They were usually, if not Scotchmen, of a more cautious race from Palestine, who were accustomed to conduct their affairs according to business principles. Irish methods of procedure were very different. The hon. and learned Gentleman could not imagine that the Irish would be so foolish as to do anything that would impede the flow of money into Ireland, yet this very afternoon they had heard the hon. and learned Member for South Donegal enunciate a policy which must narrow the market for Irish properties, and, therefore, lower the price. The result of that must be disastrous to Ireland. This Bill was put forward as one not to widen the breach between England and Ireland, but to draw still closer the people of the two countries. But what would be the result? If an Englishman, choosing to live in England, was not to get his income from property which he owned in Ireland, as the man localised there would get his, it would lead to this: that the land of Ireland would be owned by people settled there, who would have no connection in England, Scotland, or Wales; and the effect of that must be to make the Irish people more and more a separate nation. Under those circumstances, how could the Bill draw closer the relations between the two countries? If the Party opposite wished to do Ireland one more favour, they would make it as simple for a man to live in one country as in another.



**MR. GOSCHEN** (St. George's, Hanover Square): I do not see the hon. Member for Bedford in his place, and I see from the empty state of the Benches opposite that hon. Members, too, believe that there is nothing in this Bill that has not been discussed over and over again. Yes; but we have not had a discussion on this subject.

**SIR J. RIGBY**: Yes, we have.

**MR. GOSCHEN**: It was touched upon in the briefest possible manner; there was no regular Debate on the question, and it has been a revelation to us on this side of the House that the Government intended to leave the power avowedly to hon. Members below the Gangway to tax absentee landlords.

**MR. J. MORLEY**: It was stated again and again.

**MR. GOSCHEN**: It is very extraordinary, if it has been stated again and again, that hon. Members on this side of the House have so small a recollection of it. Will it also be maintained that the hon. Member for North Kerry made a declaration then that it would be the intention of the Irish Members to tax absentee landlords? No; that was at a time when there was no guillotine in prospect, and when there was silence among the Irish Members; but the moment it is known there is only a certain time to be occupied we are then to be privileged, and, I must say, to have the advantage of hearing the views of hon. Members from Ireland.

**MR. SEXTON**: I did not declare that the absentee landlords would be taxed. What I said was that it would be improper to withhold the right to tax them from the Irish Legislature.

**MR. MAC NEILL**: And that is what I said.

**MR. GOSCHEN**: I thought he spoke not only of taxing them, but even of fining them. [Mr. SEXTON: No, no!] At all events, no one will deny that this question of the right of taxing absentee landlords is a very important one. I see the Prime Minister is in his place, and I would ask him, does he think that the relations of the Imperial Government to the Irish landlords are such that it is right to expose them to this not very remote risk—the probability that there is to be taxation of absentee landlords? We know that the honour which is pledged to the landlords in Ireland

was only a pledge of honour given under special circumstances; but, without wishing to say anything that would be too censorious, may I not suggest to the right hon. Gentleman that, if they are going to place the loyal minority of Ireland, including the Irish landlords, under the power of hon. Members below the Gangway, at all events this Amendment is a precaution which we might fairly ask them to take. I do not believe for a moment that the taxation of absentee landlords would be an advantage to Ireland. I do not believe that this method of protecting the Irish landlords who live in Ireland would be successful. I do believe that if this power were exercised it would be a baneful power in disturbing the relations between landlords and tenants. It might be well to try to tax absentee landlords when separated by such distances as we are from our Colonies; but how are absentee landlords to be defined in Ireland? The point I wish to make is that it would be futile really to tax them, whilst, at the same time, it would create a feeling much to be regretted. Suppose hon. Members were to put a tax on absentee landlords, how will they define them? I admit the Government may fairly decline to answer that, and say it is left to the Irish Parliament to settle what an absentee landlord is. Is he a landlord who does not live there for a year or two years or more? Is he to qualify by residence like a canon who has to spend a couple of months in a Cathedral town? What kind of residence is it to be? If he goes and shoots for a month is he to be free from taxation? If he goes there with the whole of his family is he to be free from taxation? It appears to me it is almost ridiculous to think that any definition of taxation of absentee landlords could be found which would not lead to every kind of evasion and difficulty and inconvenience, and would bring no advantage whatever to the Irish Exchequer. It is easy enough to elaborate this question. Supposing, as the right hon. Member for the Sleaford Division put it, that a man spends six months here in the House doing Parliamentary duties, and at the end of the Session goes for the benefit of his health to the South of England. Is he to be taxed because he is an absentee landlord? Or suppose you

provide for all these cases, is it not certain that it would be easy—looking to the closeness between the two countries—to find methods by which the tax would be evaded? Hon. Members may, perhaps, say—“Why protest against the tax?” because it is not likely to bring in much money. Is that a great financier’s view? Is that the view of the right hon. Gentleman (Mr. Gladstone) that in that case the tax is a sound and useful one. If there is one single man in the House who I should have thought might protest against the view that a futile tax might yet be proposed, it would be the right hon. Gentleman. I thought that one of the chief doctrines he would have laid down would have been that a tax which gave rise to friction and inconvenience, and was not remunerative, would be the last tax he would desire to see imposed. The argument has already been used that some of the best landlords in Ireland are those who do not reside there. The case has been mentioned of the Duke of Devonshire, and there are Lord Leconfield and many others who spend as much and more on their estates in Ireland than many a landlord resident in Ireland does. Suppose you were to tax the absentee landlords, on whom will that tax fall? The result will be that such landlords as I have indicated will have so much less of revenue from their estates to spend upon the improvements which their tenants desire; and this taxation of the best absentee landlords would be likely to have that very result which the action of much of the land legislation has been having—namely, to relieve the landlords in Ireland from doing their duty by their tenants as is generally done by landlords in England; therefore, I say, from the point of view of expenditure on Irish estates, the taxation on absentee landlords will be a fatal mistake. There is this further point: a question has been raised with regard to mortgages. Suppose that you tax the absentee landlords, will it not shake the credit on which money has been lent by Insurance Companies and others, and does the Solicitor General wish to establish this state of things—that the portion of the rents which passes over to the Insurance Company is not to be touched, but that the free rents are to be touched? If so, every possible difficulty will arise. I understand the Solicitor General to say

*Mr. Goschen*

he does not believe that this would lead to taxation of mortgages. But if you tax the absentee landlords it will lead to the taxation of mortgages also. It may startle the Solicitor General, but I think he may know that, in those countries where absentee landlords have been taxed, there, also, there is a question of taxation of mortgages. A good deal has been said as to the alternatives offered other landlords—I will not say the best landlords—but resident landlords in Ireland who may desire to leave Ireland. I wonder what is the choice that is going to be given by hon. Members below the Gangway. Hitherto, during these last years, language was held by them which was to frighten and drive the English garrison out of Ireland. Hon. Members below the Gangway do not deny that their policy has been to drive out the English garrison and the English landlords; and they stated that they would not rest until they had accomplished that object. Now suddenly there seems to be a change; and through the taxation of absentee landlords those who formerly were to be driven out are to be attracted to stay in Ireland. Is that the real reason why this power of taxing absentee landlords must be exercised? Is it in order to attach to Ireland those landlords against whom the Land League has been employed and every device practised which might alienate them from their estates and drive them out. Another idea might be that the taxation of absentee landlords might compel them to sell under disadvantageous circumstances; and I should be very much mistaken if the taxation of absentee landlords was not one of those methods of squeezing to which my hon. and gallant Friend behind me alluded in an earlier part of the Debate. They were formerly to be squeezed in one way, and now the Government are perfectly prepared, as it would seem, to hand them over to the power of the Irish Legislature to squeeze them in another manner. I am bound to say that, looking to the assurances which have been given us of equal protection of the laws, and that property should not be taken without due compensation, I confess I am surprised at the new prospect that has been opened out. Why, this is as effectual a way of depriving them of property as you can

well devise. I do not think it is within the spirit of equal protection of the law to say that the landlord who resides in Ireland for a certain time, either in the year or in the course of a year, is to be treated in one way, and that the landlord who dwells in England or Scotland for a part of the year is to be treated in another way. That is not the equality which we have been induced to look to. Of course, the great difficulty in this as in all other cases is that you are trying to have separate legislation between the two countries which ought to have the same legislation. It crops up on every occasion. Why is there this great difficulty. Because the interests of the people of Ireland are so interlaced with the interests of the people of England that it is deadly to separate them, otherwise it might be easy enough. Her Majesty's Government take a different view of the case. They are willing that Ireland should be treated as a separate country, because when you speak of absenteeism, which is to be absenteeism in England from Ireland, you are treating Ireland as a separate geographical whole, and you are showing by your resistance to this Amendment, as you have shown by your resistance to others, the extraordinary difficulty which exists when you leave that freedom to the Irish Parliament which they desire, and give them the right at the same time to protect all those interests which have grown up under your care, and for which you are responsible as much as you are responsible for the interests in this country—and which will suffer under the legislation which you set up.

MR. W. E. GLADSTONE: The declarations of the Government on this subject were long ago made, and the House has considered and decided the matter. The right hon. Member for Cambridge University submitted the Amendment without any attempt at re-discussion. But the speech of my right hon. Friend stands with hundreds of others in this respect—that it was a re-discussion of the general subject. It has been an argument in favour of absentees. The absentees are in most cases excellent landlords—

MR. GOSCHEN. (interposing) said, that he never uttered a single word in favour of absenteeism. What he said was that there were good landlords as

well as bad who were absentees. He was as much opposed to absenteeism as the Prime Minister.

MR. W. E. GLADSTONE: The declaration which the right hon. Gentleman has just made—that he is just as much opposed to absenteeism as I am—is a valuable declaration. But having heard the words of the speech of the right hon. Gentleman—to which I listened with attention—I must say that the whole speech sounded to me as an ingenious and elaborate plea against legislation in regard to absenteeism. The right hon. Member for Sleaford appeared to think that absenteeism in Ireland was fully justified by legislation. The right hon. Gentleman seemed to suppose that absenteeism began in 1881. Absenteeism has been a great, a gigantic fact, staring him in the face for years and years. It would be premature, and quite unnecessary, to enter into any defence of taxation of absentees. It is a very difficult and very important social question; but in principle a tax upon absentees is not unsound. In principle it is right to hold that distinct and definite duties are inseparably connected with the possession of land. The right hon. Gentleman says that there are absentee landlords who have been good landlords, and that there are resident landlords who have been good landlords. I entirely and cordially agree with him to this extent, that they are good landlords so far as their position of absentees admits. They are good landlords in respect of all that relates to money; but I think that Mr. Carlyle was right when he said that cash payment was not the only means between man and man. There are social and political arguments against the tax which may be conclusive, but I do not enter into that question at all, nor say whether it is right or not. This I will say—though I may be accused of irrelevancy in saying anything which refers to the history of the past, which, according to hon. Gentlemen opposite has nothing to do with the present or future—that, in my opinion, it is a noble feature in the history of the old Protestant Ascendancy Party in Ireland that, during the latter half of the last century, they were strongly in favour of a tax upon absentees. That did them high honour, even if their political judgment was not sound. What we

contend is this—that the Irish Legislature are the proper persons, if they are to come into existence, to consider whether or not the duty of residence ought to be required of the owners of land, and whether habitual non-residence should not be sufficiently defined so that it might justly and properly be discouraged in the form of taxation. That I say is a question we ought to leave to them, and that is a question which we have already decided to leave to them. It is all very well to say there are absentee landlords in England. Is there £1,000 of income to absentee landlords in England for £10,000 in Ireland? The landlords of this country are generally resident, whilst a very unfortunate proportion of the Irish landlords have been habitually non-resident. Our contention is this—that the Irish Legislature is the party, and the sole party, that can properly deal with this question, which is one that ought to be dealt with with great knowledge and great care. It may be there are some who believe—I do not myself altogether reject the belief—that after the controversy has settled down in Ireland the absentees will be much fewer than now. [*A laugh.*] The right hon. Member for the University of Dublin (Mr. D. Plunket) smiles; but he will recollect this historical fact, and I am sure he will not deny what I am going to say. When the Union was about to be passed, and when arguments in favour of the Union were made, it was generally admitted that the Union would bring about an increase of absenteeism. That, I am sure, he must recollect; and, I think, unless I am very much mistaken, that is even admitted in the official pamphlet of Mr. Cooke, with which he must be acquainted, and there is not the slightest doubt that that melancholy prophecy has been largely fulfilled. There is no other country that has ever had, so far as I know, as much of absenteeism as Ireland with the solitary and mournful exception of our West Indian Colonies, where absenteeism was still more thoroughly and deeply rooted. But the question is, if this be a matter of simple policy, of consideration of practical arguments one way or another, then it is a matter that exclusively belongs to the Irish Legislature to deal with. If you choose to say that the taxation of absenteeism is a crime, that absenteeism is like some consecrated shrine which

you ought to defend from spoliation, you will say that it is an absolute duty to protect absentees against future legislation. But that is surely a doctrine that cannot be maintained. The right hon. Gentleman has himself said that he strongly disapproves of absenteeism, and that he regards it as in itself an injury. If it is in itself an injury, it is for the Irish Legislature to consider in what manner that injury should be dealt with. You cannot possibly give to Ireland the power and responsibility of making laws without admitting in the full that so vast and important a social question as this must go to the Irish Legislature, and cannot properly, or wisely, or justly be decided here.

\*MR. D. PLUNKET (Dublin University): I desire to intervene but for a very short time in this Debate, and I wish to say, at the outset, that I have myself no special sympathy with absentees in the sense of those who are voluntarily absentees from their property; but even with reference to those, I think that some of the language which has been used by the right hon. Gentleman to-day is of rather a dangerous import to the laws which have hitherto protected property in this country. The right hon. Gentleman has said the House has already decided this question. The right hon. Gentleman must, no doubt, have in his mind that in the course of the Debates some such decision was arrived at; but I have been in constant attendance in this House, and I have no recollection of this question being brought to a decision in any former stage of the Bill. I do not wish to be dogmatic; I only say I have no recollection of it, and I should be glad if right hon. Gentlemen opposite will refer us to the occasion when this question was raised and decided by the House. It is, at all events, a new question so far as the laws of this United Kingdom are concerned. The right hon. Gentleman has said that the Irish Parliament is the proper party to settle this question—the question whether taxation should be applied to absentees. He said the question ought to be referred to that Parliament. That is the point upon which I desire to join issue with him. I may say, in passing, that he laid some stress on the fact that there was a great ten-



dency at the time of Grattan's Parliament—

MR. W. E. GLADSTONE: And before it.

MR. PLUNKET: That it was before the Union the habit of the Irish landlords to reside on their property, and he seems to think that there would be a tendency again for them to return to Ireland and reside on their property if this Home Rule Bill should pass into law. But surely he knows that the case would now be wholly different—he has told us so himself—that the Irish Parliament in those days was mainly a landlords' Parliament. He has often told us that the Irish House of Commons was as much identified with the landlords as was the Irish House of Lords. Passing from that, I ask, is it right that this power should be delegated to the Irish Legislature, or that it should be reserved from them for treatment by this Parliament? Let me say, in passing, that with regard to the proportion of absentees—I may be wrong, but in proportion to the total number of Irish landlords—I consider such a statement as we have heard to be wild and misleading. But is it just to give to the Irish Parliament—is it right to give them the power of imposing taxation upon the whole class of non-resident landlords, because a certain small proportion of them are voluntary absentees? This is not only a question for the landlords who for whatever reason do not reside on their properties in Ireland, but for those similarly situated in England and Scotland, and also for those English and Scotch mortgagees who have charges upon Irish land. There are, it must be remembered, absentees and absentees. We know that in England and Scotland there are classes of landlords who cannot always reside on their property if they would. For instance, there are in Ireland, as there are in England, landlords who have several estates—on one estate they have a residence; on others they have no residence. And the question arises whether the Irish Parliament is likely to follow up the principle of taxing these as absentees, and, if so, whether they are likely to do so with moderation and justice? The Irish absentee landlords have been the subject of denunciation for years, for generations, by the very Party who will have control of the Irish Legis-

lature of the future, and, not only the Irish absentee landlords, but those very persons in England and Scotland who have mortgage charges upon property in Ireland. Having been so denounced and held up to obloquy in the past, does no risk exist for them in the future? The Solicitor General asked, was it possible that the Irish Parliament would tax such mortgagees and so prevent the flow of capital into the country? But, Sir, it is only within the last five years, or six, or ten years, that this very case arose. There was a movement at that time amongst a certain number of the landlords of Ireland demanding that there should be a reduction of family charges *pro rata* according to the reduction of rents. What was the attitude of the Nationalist Party? It was, I think, *The Freeman's Journal*—at all events, it was one of the Irish Nationalist papers—that called upon the landlords to join with the tenants for the purpose of reducing the charges of Englishmen and Scotchmen who had Irish property. I did not know that this discussion was coming on, or I might have had the quotations with me. But certainly the appeal was made to the landlords to join with the tenants in order to cut down those mortgage charges of people residing in England and Scotland. This is not a matter of speculation, but a matter of fact. That was one of the first inducements held out by the Irish tenants, or by their organs in the Press—an inducement to the landlords to join in fleecing those Englishmen and Scotchmen who have placed their money in Irish investments. I do not want to prolong the Debate; but I would point out that it is impossible you can confine this proposal to Irish landlords—if a tax is to be put on them it will, assuredly, also be put on these Englishmen and Scotchmen who have their money invested in Ireland. Probably it may be put on with greater stringency in their case. The question is—Is the House prepared to take this view—that those, whether Englishmen, Scotchmen, or Irishmen, who invested their money—and were often invited, as in the time of the Landed Estates Courts and the Encumbered Estates Courts, on the title of your own law and on the inducement that their investments would be safe—are you going to say that you will not keep

these under your own protection, but that you are going to put them under an Irish Parliament where the overwhelming majority will be the Representatives of those who have been denouncing indiscriminately for years the absentee and the investor? Are you going to say that these people deserve no special protection? If you do that, you cannot confine it entirely to Ireland—you cannot confine *ex post facto* legislation of that kind to one side of the Channel. The Nemesis of such legislation will soon pursue you into your own country, and, whether it be right or wrong, Parliament must at some future time pass laws of this character for England and Scotland. However that may be, there is grave risk that injustice may be done unless Parliament, by some such provision as that now proposed, prevents the interference of those Leaders of the Irish Legislature of the future who have long been engaged denouncing wholesale Irish absentee landlords, and also all those who have made mortgage investments on Irish properties, as not entitled to the ordinary protection of the law.

COMMANDER BETHELL (York, E.R., Holderness) said, the hon. Member for St. Albans (Mr. V. Gibbs) asked whether Insurance Companies and other Corporations of that class would be exempted from the operation of this provision. The Chief Secretary, in reply, said he had an Amendment down on that subject, and, after that, the Solicitor General said that these companies would be placed on the same footing as private individuals. There was a difference between the two answers. The Attorney General shook his head. Perhaps the hon. and learned Gentleman would point out where the similarity lay between the two.

MR. J. MORLEY said, what he said was that he had an Amendment on the Paper bearing on the subject.

COMMANDER BETHELL said, he would like to understand whether he understood the right hon. Gentleman to convey that his Amendment met the views of the hon. Member for St. Albans?

MR. J. MORLEY was understood to answer in the negative.

COMMANDER BETHELL said, it was so understood at the time.

Question put, and negatived.

Mr. D. Plunket

SIR J. GORST moved, in line 5, to leave out "by virtue of," and insert "in accordance with." He said, it seemed to him that the words "by virtue of" did not appear to be quite clear in their application. He wished to substitute words which he thought would make it clear as to the position of institutions, say, under the Companies Acts, or incorporated by Royal Charter. He presumed the institutions it was intended to cover were voluntary institutions not incorporated by Statute; but he did not think the words "by virtue of" would include charitable or philanthropic institutions which were not incorporated. He begged to move his Amendment.

Amendment proposed to the proposed Amendment, in line 5, to leave out the words "by virtue of," in order to insert the words "in accordance with."—(Sir J. Gorst.)

Question proposed, "That the words 'by virtue of' stand part of the proposed Amendment."

\*SIR C. RUSSELL said, the clause mainly referred to associations which were incorporated either by Charter or Act of Parliament, but it was not intended to bring within the purview of the clause foreign associations not existing "by virtue" of our law, though they might be in accordance with it.

Question put, and agreed to.

Amendment, as amended, agreed to.

MR. PARKER SMITH (Lanark, Partick) said, he rose to move in page 3, line 12, at end, insert—

"Whereby the writ of habeas corpus may be suspended; or whereby any Bill of Attainder or *ex post facto* law may be passed; or."

The Amendment in its present form was open to the charge of multifariousness; but, although the various points raised had been discussed separately in Committee, he thought they were so important that they might be discussed together. [Interruption, and cries of "Order!"]

MR. SPEAKER: Order, order!

\*MR. PARKER SMITH said, he was quite sure the Government, and especially the Prime Minister, would not deny the importance of these questions. The right hon. Gentleman, not long since, in

answer to the hon. Member for South Tyrone (Mr. T. W. Russell), declared that there was no question more vital than that of the liberty of the subject. That was the question he wished to raise now. And he must say that it was strange that gentlemen who voted against the Criminal Procedure Bill of 1887 could support a proposal which virtually affected far more people than that Act did. The question was whether they should give over their right to deal with this question—whether they were to retain their right to deal with the liberty of the subject, or whether they should allow another body to deal with it. It seemed to him that this was as great a question as the other question as to the alteration of criminal procedure. It was their duty, therefore, to endeavour to press the question, and to see whether, in the changed circumstances in which they were placed since they had been in Committee, they could not, at any rate, arrive at some understanding in the matter. There was one argument that might have been used at the earlier stages of the Bill—the argument of finality; that they were getting rid definitely of the Irish problem and the Irish Question. But that argument could not be used now, for this Bill allowed the Irish Question to stand over—it proposed to re-open Irish questions in the future, and not to get rid of them. They were to have in Ireland a mere Provisional Government. It seemed to him, while that was so, that the very last thing that should be handed over to the Irish Government was the power of dealing with habeas corpus. They might grant other powers, but they should retain this under their own control. There would be Irish Members here in this House; and it seemed to him only right in these circumstances that they ought to take this most delicate and tender subject under their control in this House. The writ of habeas corpus had been from the earliest times the bulwark of our liberties; and it had been held by Constitutional writers as the strongest and simplest method of sustaining liberty. During the century it had been once suspended in this country, and frequently suspended in Ireland. The Irish Legislature, therefore, would have plenty of precedents; and, as the speech of the hon. Member for South Donegal showed, they

would be prepared to act on them. Those precedents might be good or bad, but, seeing that they existed, it seemed to him that the discretion of acting on them should be kept in the hands of the Imperial Parliament. What would be the protection of the Irish minority against abuse of the power of suspending the Act on the part of the Irish Legislature? The Attorney General had argued that it would be the Royal veto; but it was not for matters of this kind that the veto was intended. How could they interfere by veto? If the Government of Ireland went to them and told them that it was essential for the good government of the country that they should have power under special circumstances to suspend the Habeas Corpus Act, how could they interfere by veto? It could only be by constant intervention after full Debate—in which the Irish Members would take part—that there would be any possibility of interference with the discretion of the Irish Government. The Prime Minister had used the same argument. He had said on the 19th June—

“Were this Irish Legislature to be capable of capricious, wanton, and needless suspension of the Habeas Corpus Act, with no circumstance to warrant or demand it, our Bill, as it is framed, would not allow it. Such an Act, even if it could receive the Royal Assent, which I believe to be impossible, even if it could escape the intervention of the House, which I believe to be impossible also, the action of the Courts of Ireland by the appeal that would be made to them, and by the final judgment of that Judicial Committee of the Privy Council, would entirely quash and nullify that not only unwise but wicked Act of the Irish Legislature.”

No Irish Parliament would suspend the Habeas Corpus Act under the circumstances described by the right hon. Gentleman. They would only be likely to do it where there was a certain amount of cause, but cause which the Imperial Parliament would probably think insufficient. Still, the Judicial Committee of the Privy Council could not interfere. Their interference would only come in where there was no cause for the suspension of the Act—where, so to speak, there was no case to go to the jury. If there was any evidence at all, the case would be one not for the Judicial Committee of the Privy Council, but for a Legislative Body to consider. What was the law on this matter in other countries? Take the case of the United States—a country

which had framed its institutions on ours. It was part of the original fundamental Constitution of the United States that the writ of habeas corpus should be embodied in both the Federal and the State laws. The 9th section of the First Article said—

“The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it. No Bill of Attainder or *ex post facto* law shall be passed.

Dealing with the powers of States the words were—

“(10) No State shall enter into any Treaty . . . . pass any Bill of Attainder, *ex post facto* law, or law impairing the obligation of contracts.”

And these provisions were embodied in the Constitutions of the various States. Both the Federal Government and the States Governments were prohibited from suspending the writ of habeas corpus in any case save those of rebellion or actual invasion. He should like to know whether that was the view of the Government of the circumstances which really would justify the suspension of the writ of habeas corpus? They knew that it had been suspended in Ireland under other circumstances; but was it the view of the Government that in the future it should only be suspended in cases of rebellion or actual invasion? It seemed to him that the line that had been taken by Members of the Government and their supporters with regard to the Crimes Act would lead to the conclusion that under no circumstances should the writ of habeas corpus be suspended save in cases of rebellion and actual invasion. If they thought there were other circumstances which would justify it he should like to hear what they were. If they did not think that, then the Amendment became a corollary of an Amendment which was accepted by the Government the other day—an Amendment moved by the right hon. and learned Gentleman the Member for Bury (Sir H. James), to give the Executive power to suspend the issue of the writs of habeas corpus in cases of rebellion and invasion. The Law Officers fought against that Amendment.

\*SIR C. RUSSELL: I fought very mildly.

MR. PARKER SMITH: But the Solicitor General had fought vigorously. It seemed to be the function of the Solicitor General to act as watch-dog.

*Mr. Parker Smith*

He barked violently at every Amendment moved, but presently along came his owner prepared to deal with the matter in hand with a certain amount of reasonableness. After the Solicitor General had spoken, the Prime Minister got up and said—

“The hon. Member for North Kerry argued—and argued boldly—that the matter of exception from the right of habeas corpus made by the proclamation of the Executive was, or must be, an Imperial matter. He confessed he thought there was very great force in that statement. The Attorney General absolutely demonstrated that this was an Imperial matter; that foreign invasion was war, and, as war, it was shut out from the powers of the Irish Legislature; that rebellion was rebellion against the Crown, and that proclaimed rebellion striking at the very heart and centre of the Government was likewise war levied against the Queen, and was distinctly and indisputably an Imperial matter. As I listened to the argument of the Attorney General, I was confirmed in my acceptance of what has been said by the hon. Member for North Kerry. My hon. and learned Friend has so entirely cut the ground from beneath the feet of myself and the Chief Secretary that we feel we cannot carry out our desire to leave this matter to the Irish Legislature, and I think the best course is to do what we have done in relation to the supremacy, and what we have done to the best of our ability upon every occasion without exception on every Amendment and every clause that has been proposed during the course of the Bill, and that is to accept it unless there is a good case against it. In that manner we wish to deal with the Amendment of my right hon. Friend, and we shall, consequently, not oppose it.”

It seemed to him that the attitude of the right hon. Gentleman was very different to that taken up by the Government when dealing with this question of the suspension of the writ of habeas corpus in Committee. The present Amendment should be accepted, as the previous one had been. So much for the case of habeas corpus. He would now deal with the other point which was included in the Amendment. In the first place there was the Bill of Attainder, which was a comparatively small point. It was a sentence passed on an individual not by a Court of Justice, but by an Act of Parliament. Such a sentence was one which, no doubt, everyone in the House would regard as absolute, and would agree should be struck out of any fresh Constitution. Sir Thomas Erskine May said in his *Parliamentary Practice*, with regard to Bills of Attainder—

“In evil times this summary power of Parliament to punish criminals by statute has been perverted and abused. In the best of times it should be regarded with the severest jealousy.”



This matter was provided for in the Federal Constitution of the United States of America, and he thought in most of the State Constitutions, and it had been found very useful even in modern times. Cooley said with regard to it—

“The conviction of the propriety of this Constitutional provision has been so universal that it has never been questioned either in Legislative Bodies or elsewhere.”

Through this provision various unconstitutional and improper acts of the various States had been held to be *ultra vires*. Then there was the question of *ex post facto* laws. So contrary were these laws to the spirit of our Constitution that the other day it was ruled out of Order even to propose an Amendment to this Bill, because it contained the principle of *ex post facto* law. If that was the case, surely in making a fresh Constitution and stating general principles this point ought to be specifically covered. The restriction existed in the United States—in the Congress and in the various States, and it was particularly desirable that it should exist in Ireland, seeing that there would be a special proneness on the part of that Legislature to pass *ex post facto* laws in consequence of old quarrels and bitter-nesses the memory of which had not yet altogether died out. *Ex post facto* laws might refer to Criminal or Civil Law. As to criminal matters, it was held to be too monstrous to suppose that the Irish Legislature would desire to pass *ex post facto* laws; but it appeared to him that, when they were dealing with general principles in a measure like the present, they should cover the whole of the ground. On a parity of reasoning, if the Attorney General had to draw up a new Decalogue he would hardly leave out the Commandment, “Thou shalt not kill.” It was necessary to lay down the law in general terms. It might be held that that Commandment covered a vast number of minor offences which approached to murder. So also the words he proposed would cover a great many cases which, in the absence of such words, the Courts would find it very difficult to decide. In regard to Civil matters, *ex post facto* laws might bear with great hardship on individuals, which laws made for the future might not. Therefore, the discretionary power of making such laws should not, it seemed to him, rest in the hands of the Provisional Government

that was being constituted. It was one of those supreme discretions which they at Westminster ought to keep in their own hands. All these matters which he had grouped together were questions dealing with the liberty of the subject. In the absence of his Amendment, indignation might be aroused, and forcible resistance might be offered to enactments of the Irish Legislature, and whilst they were protecting themselves, in many respects he thought that this was a matter in which they should not omit that precaution. Some of the matters in which they had protected themselves—for instance, as to the payment of the financial contribution from Ireland—seemed to him trifling as compared with the matter here involved. In the one case it was the public who were interested, and the public could take care of themselves; but in the other case it was private individuals who might suffer injustice. He begged to move his Amendment.

#### Amendment proposed,

In page 3, line 12, after the word “or,” to insert, as a new sub-section, the words,—  
“Whereby the writ of habeas corpus may be suspended; or whereby any Bill of Attainder or *ex post facto* law may be passed; or.”—(Mr. Parker Smith.)

Question proposed, “That those words be there inserted.”

\*SIR C. RUSSELL said, that the Government could not accept the Amendment, the subject having been fully discussed in Committee. He could not admit that the matter wore a new aspect because points which had previously been treated separately were now grouped together. The hon. and learned Member had taken another remarkable ground in justification of further discussion—he had gone the length of saying that the Government ought to accept the Amendment because it was a corollary to the Amendment of the right hon. and learned Gentleman the Member for Bury, which was accepted a few days ago. What was that Amendment? The right hon. and learned Gentleman had discovered—or some industrious friend had discovered for him—that in 1781 an Act was passed by the Irish Parliament, a clause of which gave to the Irish Government the exceptional power of suspending the

habeas corpus by an Executive act—namely, by proclamation with the assent of the Lord Lieutenant or the Irish Privy Council. He (Sir C. Russell) and his hon. and learned Friend the Solicitor General both spoke when the Amendment was moved, and pointed out that the proposal was one of really no importance, for the reason that the Statute had existed more than 100 years without being enforced. On further discussion the Prime Minister realised the fact that the matter was not one of serious political importance. In fact, this subject had been amply discussed. On the 19th June, the hon. and learned Member for East Down (Mr. Rentoul) moved an Amendment to prevent the Irish Legislature from suspending or prejudicially affecting the right of any person to writ of habeas corpus. He (Sir C. Russell) replied, the hon. and learned Member for Mid Armagh (Mr. Dunbar Barton) continued the discussion, the right hon. and learned Gentleman the Member for Bury then read him (Sir C. Russell) a lecture against what he called the political speech he had made, the Prime Minister followed, and the discussion was brought to a close by the noble Lord the Member for South Paddington. The discussion occupied a considerable number of pages in *The Parliamentary Debates*. On the 20th June there was a discussion on the question of excluding *ex post facto* legislation from the Irish Legislature originated by the noble Lord the Member for West Edinburgh (Viscount Wolmer). He (Sir C. Russell) had replied, he was followed by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), the hon. Baronet the Member for Wigan (Sir F. S. Powell) then spoke, and the hon. and learned Member for Haddington (Mr. Haldane). The Leader of the Opposition joined in the discussion; he was followed by the Prime Minister, and the Prime Minister was followed by the right hon. and learned Gentleman the Member for Bury. Considerable time was occupied by the Debate. And, in addition to these Debates, on the 14th June a similar discussion took place on the subject of Bills of Attainder. Surely it would not be considered unreasonable if the Government held that these subjects had been discussed at adequate length, and if they declined to enter into them fully on the present occasion. Hon.

*Sir C. Russell*

Members professed to be anxious to get to the discussion of the important matters of the Bill, and the Government were anxious to assist them if possible. Why, then, were they to have repeated the discussion of matters which had already been dealt with? What was now proposed was that the Irish Legislative Body should have no power to pass any law suspending the Habeas Corpus Act. Why should they not have that power? Why was such a matter as this, whenever it should arise, to be sent back to the Imperial Parliament, which would not possess as much knowledge of the local facts as the Irish Legislative Body and the advisers of the Lord Lieutenant? With regard to Bills of Attainder, his answer was not only that the matter had been discussed before, but that the Bill already contained a provision whereby no person in Ireland could be deprived of life, liberty, or property, without due process of law. As to *ex post facto* legislation, it was of two kinds—that was to say, it could deal with criminal and with civil matters. The criminal aspect of the case would come under the answer he had just given; and as to the civil, as the Government had stated before, they did not intend to deprive the Irish Legislative Body of the right to pass an Act of Indemnity. Upon all these grounds the Government could not accept the present Amendment.

SIR H. JAMES said, he thought the House would be disposed to agree with the Attorney General that they should not unnecessarily discuss matters twice over. If, however, they felt a matter to be of such importance that injustice might be done unless a remedy were found, they were justified in taking every opportunity to discuss it, and in pertinaciously trying to prevent the danger. With regard to the Habeas Corpus Act, so far as he could understand, it was proposed to allow the Irish Government a free hand to suspend it in Ireland. The Attorney General seemed to have lost sight of the reason why the clause was eventually accepted by the Prime Minister. The Attorney General and the Solicitor General had said that the matter was one of small importance; and he pointed to the fact that, although the Irish Act had been in existence 100 years, it had not

been acted on. But in gauging the importance of the matter they could not have regard to past experience. They were now establishing a new subordinate Executive; and the question was whether they should give to that Executive the power of suspending the Habeas Corpus Act? The reason why the last Amendment was accepted was not on account of the distinction between the Legislative and the Executive power, but the conversion of the Prime Minister rested on the ground that the hon. Member for North Kerry and the Attorney General had convinced him that dealing with the suspension of the Habeas Corpus Act was an Imperial matter, and not an Irish matter. It was quite true that the discussion was then confined to two conditions of things—namely, the existence of rebellion and invasion, which were put forward as being Imperial matters—and he quite appreciated the fact that it was on consideration of those two questions that the Prime Minister said the subject was Imperial; but it must be remembered that in the case of rebellion or invasion the whole of the people of Ireland would be affected. They now arrived at this material question—Under what conditions did the Government expect that in the future the Habeas Corpus Act would be suspended in Ireland? If it was to be suspended when invasion and rebellion existed, then the Prime Minister had admitted—and the Attorney General and the hon. Member for North Kerry had asserted—that it was an Imperial and not an Irish matter. And what was the consequence of that? Why, that Imperial and not Irish legislation should alone be competent to deal with it; and yet the Government were going to allow the Irish Legislature to deal with this—according to the Prime Minister—purely Imperial subject. If the Habeas Corpus Act was to be suspended in consequence of rebellion or invasion, they must leave the matter to the Imperial Legislature; and yet they refused the Amendment. They were going to give to the Irish Legislature an unfettered hand to suspend the Habeas Corpus Act in regard to matters other than rebellion and invasion? If so, what were the other circumstances which the Government considered would justify the Irish Parliament in suspending the Habeas Corpus Act? They must be something particular.

Were they cases of great crimes? He hoped the Prime Minister would not suppose he wanted for a moment to suggest that there was blame attaching to anyone in respect of the suspension of the Habeas Corpus Act in Ireland during recent years. He did not wish to separate himself from responsibility as to the passing of Coercion Acts; but, speaking generally with regard to what had occurred, he would ask the House whether they wished to see the Habeas Corpus Act suspended in Great Britain or Ireland? If it were done at all, it should be done for great cause and after great deliberation. Great safeguards would require to be taken in the case of Ireland, and the responsibility ought to rest on the shoulders of the Parliament of the United Kingdom. It certainly ought not to rest with a new Parliament without experience in dealing with such questions, and where there was not likely to be unanimity amongst the various sections of the community. He did not wish to be a prophet of evil; but surely it was possible to suppose that the men who would advise the Lord Lieutenant to assent to the suspension of the Habeas Corpus Act would be the very men who would have been instrumental in passing it, for reasons, possibly, merely political. Why should the Lord Lieutenant be left in a position to come into conflict with his Executive Ministers? And why should he be asked to act unconstitutionally in not following their advice? The Lord Lieutenant must either accept the advice of his Ministers, or say—"I dismiss you." It was to be hoped that this matter would yet be dealt with seriously by the Government in the light of the admission already made—that this was an Imperial question. As to a Bill of Attainder, the Attorney General had reduced his opposition almost to a nullity, because he said the Irish Legislature could not possibly pass such a measure, as it could not be called "due process of law." But he (Sir H. James) was very much inclined to believe that an Act of Parliament, whatever its character, would represent "due process of law." But if the Government had any objection to Bills of Attainder being passed, why not embody their view in the Bill—why not render certain that which to some minds, at any rate, appeared un-

certain? With regard to *ex post facto* laws, they had had a strong example of the objection of the Government to them in 1883 in connection with the question of preventing certain Members from taking their seats. They had held that such legislation should only apply to the future. The House then said that, however desirable it might be to make the House as pure as possible, it would not allow Reports of Commissioners to affect the status of any persons in that House. When powers were being conferred on a Legislative Body by express enactment, why should not the proper limit of those powers be fixed? The Irish Legislature might exercise *ex post facto* legislation in its days of inexperience.

MR. MAC NEILL (Donegal, S.) made an observation which did not reach the Reporters' Gallery.

SIR H. JAMES said, the expression used by the hon. Member for South Donegal would emphasise the argument. When there were to be 103 Members entertaining the same views as were expressed by the hon. Member for Donegal in a manner that was peculiar, but that could be comprehended by the House, it was well to take care that *ex post facto* legislation should not come within the range of powers of the Irish Parliament.

MR. BUCKNILL (Surrey, Epsom) said, the Attorney General (Sir C. Russell) had said that the question before the House had already been fully discussed, and he had referred to the great number of pages of *The Parliamentary Debates* which were occupied by the report of the discussion. As a matter of fact, however, the discussion on the question of habeas corpus on the 19th of June had occupied exactly two and a-half hours and no more. Everybody must admit that the suspension of habeas corpus was an all-important question, and that such a remedy should never be applied if any other remedy could be found. He wished to say nothing offensive to the Nationalist Members; but there was a possibility that in times to come, when the present Nationalist Members had all been called to their long rest, the Irish Legislature might be hurried into hasty legislation arising either out of the subject of land or the subject of religion, which were the two subjects that the Chancellor of the Duchy (Mr. Bryce) said were specially in the mind of the Government

in connection with safeguards, and an Act might be passed suspending habeas corpus. If, then, the Lord Lieutenant should advise the exercise of the veto, and Her Majesty's Government should advise Her Majesty directly to the contrary, there would be a charming instance of a deadlock. As there were to be 80 Irish Members in the Imperial House of Commons, it surely was not correct of the Attorney General to say that the House could not be nearly as well informed as the Irish Legislature as to the facts bearing upon a proposed suspension of habeas corpus. Surely the Irish Members would be able to give the House all necessary information on the subject. Inasmuch as the English Members would have the Welsh and Scotch, as well as the Irish, Members to assist them in their deliberations there would be no fear of injustice being done.

MR. DUNBAR BARTON (Armagh, Mid.), who rose amid a few cries of "Oh," said, he was not surprised that some hon. Members should try and prevent a Member of the Irish minority from speaking on this subject. He would remind the Attorney General that he had omitted to tell the House that the former Debate on this subject was closed after it had been a very short time in progress. He offered no apology for protesting against the insertion in the Bill of the most tyrannous and aggressive provision inserted in any great measure during this century. If it was a serious thing for any Government to propose a single measure suspending habeas corpus, how serious was it to give *carte blanche* to the Irish Legislature to do so at their own sweet will! The Attorney General had told them that he was willing to give these powers to the Irish Legislature because he depended upon the veto. That argument, however, would apply to every paragraph in Clause 4. That argument seemed to him to show how necessary it was to prevent these provisions affecting the liberty of the subject from being inserted in the Bill. There were no safeguards in the Bill for the minority. He asked the Government for some better answer than the Attorney General had given. They, for their part, said that these were provisions that they were willing to go to the civilised world upon. They might go to the case of America.

*Sir H. James*



They knew that the American people were willing to see Home Rule adopted. But they could tell the American people that the Irish Parliament was to have powers which no American State was permitted to possess. The Government told them that they were giving them the same Constitution as was possessed by the American people. He could only say that if they were turning out a Constitution for the people of Ulster he would welcome some such provision as this. There was nothing humiliating in striking out of a Bill powers of the kind against which the Amendment was directed. If it was humiliating to the Irish people it must also be humiliating to every State of the American Union. It was because they meant to exercise these powers that they wanted the provisions retained in the Bill. The Member for North Kerry, in dealing with the subject of *ex post facto* laws, said it would be extremely unlikely that there would be no process of the sort. What could the Members of that House suppose the people of this country would do where they received such a warning? Ought they not to be ready? The present Government, and any Government of Great Britain, would have to frame a Constitution very different from this before they could honestly ask any free people to accept it, or to acknowledge any obligations under it. He had looked through some recent cases in the American books, and he found that down to comparatively recent years every one of these provisions had been used for the protection of the subject. Since the American Civil War, however, special laws had been declared unconstitutional because they suspended habeas corpus. They had from American experience the fact that in that free country Governments and Parliaments and Constitutions in moments of excitement might pass laws of this kind; and it was, therefore, no insult to the Irish Legislature to say that they might be carried away in the same manner. He deeply regretted that the Government would not accept his Amendment. Indeed, he was very much surprised that hon. Gentlemen below the Gangway had not welcomed it, and that the hon. Member (Mr. Blake), who had experience of the Canadian Legislature, had not come forward and asked the Government to

accept it. He believed they would remove one discreditable stain upon the measure if they acceded to that Amendment. At any rate, he and his friends would go with the country; and, as Irish Unionists and Members of a minority in Ireland and a majority in England, they would believe that the Government, by refusing this Amendment, and by the language with which they had accompanied that refusal, had given them deliberate notice that this was a Bill for the suppression of the liberties of the minority.

Question put.

The House divided:—Ayes 122; Noes 166.—(Division List, No. 277.)

MR. BYRNE (Essex, Walthamstow) moved an Amendment to add the following to the restrictions on the powers of the Irish Legislature embodied in Clause 4:—

“(6.) Whereby any special rights, powers, privileges, or immunities now possessed or enjoyed by Judges, jurors, witnesses, and officers concerned or engaged in the administration or execution of the law may be prejudicially affected; or.”

He said, this was an important matter affecting the Judiciary proposed to be set up in Ireland, and which had been hitherto left entirely without discussion. To his mind, the question of the rights and privileges of those concerned in the administration of the law were only second in importance—if, indeed, second—to the powers of the Executive itself. The object of his Amendment was to preserve to the class of persons he had mentioned those rights and privileges and immunities which had assisted to make the Judiciary hitherto existing in Great Britain and Ireland so strong and so universally respected. Whatever might be thought of the necessity or propriety of this proposal, he thought all would agree that one of the most important things was to have an absolutely independent Judiciary—he meant Judges who could not be touched by the Executive—Judges who were beyond the powers of those who had to administer Executive functions in the House. There could be no greater or better protection for minorities, or a greater safeguard for minorities, than the absolute independence and absolute freedom from risk on the part of those who administered the law. He

could, in a very few words, illustrate the nature of those rights, privileges, and immunities which he desired to be preserved, and to be dealt with by the Imperial Legislature if at all. Some of these rights had grown up without Statute Law. Others depended upon Statute Law, and he thought no man in that House could get up and say positively what were the exact limitations of these rights and privileges. He could only give a reference or two—first, with reference to the Judges. At the present moment Judges had absolute immunity in respect of all they might say in the course of their duty; and it was a principle of our law that no action would lie against a Judge of the Superior Courts for a judicial act, though it might be alleged to have been done maliciously and corruptly. The public were deeply interested in this rule, which existed for their benefit, and especially in securing the independence of Judges and preventing their being harassed by vexatious actions. He did not anticipate, and he would not be so false to his own profession as to think, that their successors would be degenerate men. He had the highest respect for the Irish Bench and Bar, and he had no reason to suppose that they would not endeavour to preserve their independence; but if they once removed these safeguards, which had rendered them independent, and so rendered them dependent upon the Government for the time being, they would be taking the first step towards bringing matters to a different pass. So long as a Judge knew that he was not liable to dismissal or reproof, he cared not what winds blew round him. He knew that what he had to do was to do his duty straightforwardly, and nobody could touch him. Was it certain that this would be the case in a country which had been so troubled as Ireland, and where there would, no doubt, be troubles in time to come? He hoped their fears might be falsified; but they would not be dealing justly if they allowed the rights of the Judges to be attacked and abolished at the instance of those who, in times past, had often spoken in improper terms of the Judges. What state of affairs would be brought about if an Act were to be passed which would allow an action to be brought against a Judge for something he had said in course of his Charge

*Mr. Byrne*

to the jury, or in course of summing up? He had heard words made use of in that House which made him believe that actions would be brought. The Judges had now power to preserve order in their Courts. What was to become of order if that power should be taken away? He asked the House, therefore, to reserve this power to the Imperial Parliament. Nor would the matter be less grave when they came to deal with the case of juries. To threaten or assault a juror for his verdict was high misprision and contempt, punishable by fine and imprisonment. Was it impossible that if jurors gave offence in Ireland they might suffer some persecution, and be subjected to some threats for what they had done in the course of their duty? Then with reference to witnesses. At the present moment witnesses were not required to answer questions which might incriminate them, and they were not liable to answer questions which might tend to show the channels through which information had been given to officers of justice in criminal prosecutions. Was it not possible that that privilege might be taken away from witnesses in the future? Had they not heard of attempts made again and again in Courts of Justice, even as the law stood, to get from witnesses whence they had had their information? This power was, therefore, of the highest importance, and ought to be reserved to the Imperial Parliament. At present officers were compelled to disclose matters of State, the publication of which might prejudice the community. That surely was another of the things that should be preserved. He passed by Magistrates, Sheriffs, and other officers concerned in the administration of justice, and came to the Constabulary, in respect to whom there was special legislation now existing in Ireland. He appealed to the House to continue to the Constabulary, so long as they should exist, that protection which had hitherto been considered necessary for them. It was provided that no action could be sustained against a constable for any act done in obedience to a warrant of a Magistrate, and that he should not be held responsible for any irregularity in the warrant, or for the want of jurisdiction in the Magistrate who signed it. He had heard observations made in the House which showed that actions against constables in connection

with irregularities in warrants would be possible in Ireland, and, therefore, it was most essential that this right of constables should be preserved in the future. He would anticipate two things that might be urged against his Amendment. In the first place, it might be said that the Amendment did not give sufficient trust to this Irish Legislature, upon whom they were conferring great powers. That argument had had a much greater effect before they knew what Clause 9 was going to be. But now they were to have 80 Members at Westminster, who would have power not only over Irish local affairs, but also over Imperial affairs, amongst which might very properly be included the matters referred to in his Amendment. The Prime Minister, in a speech at Edinburgh, in which he foreshadowed the Home Rule Bill, had said that every safeguard for the minority would be introduced into the Bill. Some safeguards the Government had given; some they had refused; but they should, at least, reserve a safeguard for those who could not protect themselves, and who, by virtue of their respective offices, were open to the most villainous and the wickedest attacks from all those who hated order and desired disorder to reign. It might be said, also, that the words of his Amendment were too large. He thought that as the Amendment was phrased it was perfectly clear; but he would not object to the introduction of words which would make its meaning clearer.

#### Amendment proposed,

In page 3, line 12, after the word "or," to insert the words—" (6) Whereby any special rights, powers, privileges, or immunities now possessed or enjoyed by Judges, jurors, witnesses, and officers concerned or engaged in the administration or execution of the law may be prejudicially affected."—(*Mr. Byrne.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (*Sir J. RIGBY, Forfar*): In the latter part of his address my hon. and learned Friend has accurately foreseen certain of the answers that would be made to his Amendment. First of all, these words are undoubtedly wide; and my hon. and learned Friend very properly admitted that it would not be at all within the power of any lawyer to define the extent to which they would go.

MR. BYRNE: I said it would be difficult to enumerate them.

SIR J. RIGBY: That is much stronger. You say there are so many powers, immunities, and privileges, that no lawyer could be expected, except he spent a great deal of time in studying them, to enumerate them. A very good reason why you should not, by a sweeping clause of this kind, deal with so many questions that you cannot even enumerate them. Then it was said that we would bring forward an argument which is none the worse for being repeated, which if sound in one case is sound in all these cases, and which we are not to be prevented from using simply because the Mover of an Amendment sees that it is appropriate to his case. I do say that it is a very serious objection to this Amendment that it is only one part of a very great structure—one brick, as it were. What my hon. and learned Friend wants is that we who have devised the Bill, and are supporting the Bill as a reasonable and logical Bill, should insert in it these fragments of law, picked up at random from a measure here and a measure there, taking away from the Legislature we are creating powers even smaller than those which would be left to them, even if these particular measures had been dealt with. I have no doubt that there are hundreds of other cases in which, if you admit the theory that the Legislature was unfit to legislate, you might propose Amendments as reasonable as the present. Of course, if we admitted, in a single case of this kind, where the elementary ideas of justice are concerned, that the Irish Legislature is unfit to legislate, we should be condemning our own Bill, and that we are not inclined to do. I agree that to maintain the position of the Judges is important; that the administration of justice is important; that the protection of witnesses and officers of the law is important; that, in fact, there is scarcely any part of the Constitution that does not contain matters that are of importance, and it is really too much to expect that we should include in a Bill like the present side issues of this kind, in regard to which, if we admitted them, the discussions on the Bill would never come to an end. Great as is the importance of the position of the Judges and the position of juries, it cannot be said that

legislation dealing with them is either so important, or so delicate, or so open to misconstruction, or so open to temptation, as in the case of the Amendment with which we have last dealt—namely, that of the law of habeas corpus. It would be idle for us to say that we intend to entrust the Irish Legislature with that most important and delicate part of legislation which must necessarily be used, or will be most likely used, under circumstances of great difficulty and temptation, and then to say that we cannot trust them to deal with legislation in regard to Judges of the ordinary Courts of Justice. During the Debates on this Bill we have successively rejected Amendments withdrawing from the cognisance of the Irish Legislature the whole criminal law and procedure and the whole criminal administration. Here we are dealing with the question of the status and procedure of the Courts, and if we admitted words of this sweeping character into the Bill we would be laying traps for the Irish Legislature in regard to matters in which they would be acting in perfect good faith and in perfect innocence; and it is not rational and it is not wise to attempt to surround this Legislature, to whom we intend to entrust great powers, such minute swaddling-bands as are suggested in this Amendment. I have already said, in answer to an Amendment brought forward in Committee, that if we were to proceed on the scale indicated by that Amendment our Bill would soon fill out to the extent of *Stephen's Commentaries*. We cannot now accept this Amendment, not because we think the matter of small importance, but because we think it inconsistent with the general framework of the Bill, and because it aims at depriving the Irish Legislature of any sort of control over matters of the utmost importance to the peace, order, and good government of Ireland.

MR. RENTOUL said, the Solicitor General, on behalf of the Government, who founded an answer to his hon. and learned Friend who moved this Amendment with regard to the carrying out of the law in Ireland, was certainly vague enough in his remarks, and certainly as unsatisfactory to them in the answer he gave as he could possibly be. The Solicitor General said the words of the Amendment were very wide, and the

reason why he considered the words were very wide was that the Mover of the Amendment said he could not enumerate the various Acts of Parliament and the various laws at present in existence which bear on the persons who were enumerated or contained in the Amendment. But if that was a reason why the Solicitor General should not accept the Amendment, then, if he turned to the Bill of the Government and to the 3rd clause, to the subjects that were taken away from the cognisance of the Irish Parliament, he would find, for example, in Section 3, Sub-section 1, the Crown, or the succession to the Crown, or a Regency, or the Lord Lieutenant, as Representative of the Crown—

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. RENTOUL proceeded. He said, the Acts of Parliament bearing on the very first sub-section of Clause 3 of this Bill themselves were covered by perhaps some hundreds of Acts of Parliament, and so with regard to several other excepted matters under this 3rd clause—the Army, Navy, Militia, and Volunteers, Treaties with Foreign States, and so forth; treason, treason-felony, alienage. All these things were subjects of an enormous mass of legislation that made up the Statute Book of this Empire. If the functions of the Courts and jurors, and witnesses, and those connected with the administration of law in the Courts—if their functions were the subject of large numbers of Acts of Parliament, and that was the reason why the Amendment of his hon. Friend should not be accepted, it was a strong and important reason why the whole of the exception under Clause 3 of this Bill should be entirely withdrawn. But the Solicitor General said that was only one part of the legal system which the hon. and learned Member for Essex (Mr. Byrne) had brought forward; and if the hon. and learned Gentleman the Solicitor General had applied his mind to this matter, he would have found that there were 999 other matters of equal importance and equally subject to amendment. But that was exactly what they said; they agreed with the Solicitor General entirely on that point, that there were 999 matters or 9,999 matters in this Bill that ought

*Sir J. Rigby*



to be left out from their point of view. The Solicitor General taunted them with having tried a little while ago to take away the whole Criminal Jurisprudence from the cognisance of the Irish Legislature. They tried to take away the whole of the Criminal Law altogether from the Irish Legislature; they tried to prevent them passing any criminal enactments, or having any power over the administration of the Criminal Law; and having failed in these objects, as a last resort they came up and played their last card, as it were, and they asked for freedom for the officials, Judges, police, and those who were carrying out the administration of the Criminal Law in Ireland. The Solicitor General said if the Government were to accept this Amendment they would be admitting that the Irish Legislature were not fit to legislate on these matters, and that it would destroy the Bill. Their (the Opposition) contention was that the Irish Legislature was an unfit Legislature, and they wanted to destroy the Bill. They wanted no such Bill at all; but if they must have one, then they wanted the Bill which had been promised before the electors of this country, and on which they should be before the country again ere it became law—namely, a Bill in which the loyal minority were properly safeguarded. The Solicitor General said it was too bad that side issues of this sort should be brought in. The independence of the Judges of Ireland was a side issue to the Loyalists of Ireland! The independence of the whole administration of the law of the country, the safety of witnesses who did their duty, the safety of jurors who had been thoroughly and effectually intimidated in certain counties in Ireland—all this was merely a side issue! If this was a side issue, what was the main issue? It would be impossible for any issue to be put before that House of more importance to the Loyalists of Ireland if they were to live under this Irish Legislature. The Solicitor General said if the Government accepted all the Amendments the Bill would be the size of *Stephen's Commentaries*. If the Solicitor General undertook to do an impossible thing; if he undertook to give to Ireland a subordinate Legislature which should be co-ordinate at the same time—a dependent Legislature which should be independent at the same time, then it

would require a Bill as large as *Stephen's Commentaries*, and a great deal more, to do that work. If the Government had failed in this matter, it was because they attempted what they themselves declared to be a thing which passed the wit of man, and which was absolutely impossible. [Sir JOHN RIGBY: No!] The Solicitor General said "No"; but with regard to what was the main provision and principle of this Bill—the position of the Irish Members in that House—it was declared to be a thing that passed the wit of man to have them there, and, at the same time, to safeguard the independence of this Parliament and leave it free for the people of this country. He was sure the Solicitor General would admit there was no class of men who should be more entirely above hope and fear than the Judges of the land. Let them imagine the Irish Legislature had the power to remove a Judge, according to Clause 23 of the Bill, on an Address presented by the two Houses of the Irish Legislature. These two Houses would be composed of a majority of Nationalists, who had denounced the Irish Judges in all the moods and tenses in that House; and was it wise to have these Judges in any risk whatever of being under the power of those gentlemen? As to the jurors, look at the unfortunate position in which they had been placed, and the number of instances which had been brought before that House of jurors being unable to do their duty owing to the state of intimidation in which they lived. Was it not well to try and tie the hands of the Irish Legislature, the Members of which would be returned by the electors who intimidated the jurors in Ireland? Was it not well that every possible safeguard should be applied to these jurors, in order that they might feel they could conscientiously fulfil their duties, as he believed they would desire conscientiously to do? As to witnesses, they might be required by a rule or law of the Irish Legislature to answer questions which would criminate themselves. They might be asked also to disclose the source of their information. It might be made a rule of the Irish Courts under the Irish Legislature that methods could be applied to witnesses in cross-examination that could not possibly be applied to witnesses in cross-examination in this

country. He was sure the Solicitor General would say that the more independent the Judges, jurors, and witnesses were, the better it would be for the administration of justice in any country. [Sir J. RIGBY assented.] The Solicitor General assented to the proposition; and, that being so, was it not well to try and safeguard these persons in this Imperial Parliament, when there were several hundred Members entirely free from influences that were likely to act—and especially to act at first—on an Irish Parliament? They all knew perfectly well how Members of Parliament were, more or less, in the power of their constituents; and if these constituents were working in one particular way, and were making statements in one particular direction, how could Members who represented these constituencies do otherwise than go in the same direction? Surely, after the denunciations that had been hurled against the Judges, the Constabulary, and witnesses in Ireland for doing their duty, it was their duty in that House to see if it were possible to put in safeguards of this sort, which would be a real, substantial, and gratifying thing to the minority in Ireland. The Government desired that this Bill should be accepted with contentment by the whole Irish people. The Nationalist Members in this Bill had got a great deal of their own way. A large number of their demands had been satisfied to the full; and if there was to be any reconciliation between the Nationalists and Unionists in the acceptance of this Bill by the latter, was it not necessary that something should be done to meet them, and was there one thing that could be done which was more likely to be gratifying to the entire Unionist population of Ireland than if this Amendment were accepted? There was not an Amendment which had been moved to the Bill which would be received with a greater gratification and sense of security by the Unionists of Ireland than this Amendment, which he hoped would, therefore, be accepted by the Government.

Question put, and negatived.

MR. RENTOUL moved the following Amendment to Sub-clause (7): "Whereby the Law of Conspiracy may be altered." He said, that certainly the Irish Legisla-

ture, from one point of view, would be a Legislature that was eminently qualified to deal with conspiracy, because the Prime Minister had himself in that House on many occasions pointed out what splendid adepts those who were likely to form the Irish Parliament of the future were in this matter of conspiracy. They all knew that criminal conspiracies in Ireland had flourished to a very extreme degree; and when this matter was before the House on the Committee stage, the Chief Secretary said that nobody could devise a surer means of producing friction than if this Amendment were received. But if there was no desire to tamper with the Law of Conspiracy—if the Irish Legislature were desirous of keeping the Law of Conspiracy in Ireland in the same position as it stood here there could be no possible friction. If there was a clause put in this Bill preventing them touching the Law of Conspiracy, which governed the entire United Kingdom at the present time, why should they feel any friction? A very small change in the Law of Conspiracy as it at present existed would take away the entire chance from the Irish landlords of getting any rent at all. Allow conspiracies for the non-payment of rent to be rampant in Ireland; allow them to exist without any restraint whatever, and the chances of the landlord getting his rent would be as small as when the Chancellor of the Duchy spoke of it and said that in such a case the Irish landlord might whistle for his rent. The Irish Government would be made up, to a large extent, of Members who had been found guilty of conspiracy by the Parnell Commission. Surely the Law of Conspiracy was not an Irish matter, because one of the most fruitful sources of conspiracy might be a conspiracy affecting Great Britain, and which, from Great Britain's point of view, would not be an Irish affair. Was boycotting to be illegal in Ireland? Did the present Government desire that boycotting, which was illegal at the present time, should continue to be illegal in Ireland? If they did, did they believe for one single moment that any Irish Parliament would be strong enough—even if they desired—to pass a law declaring boycotting to be an illegal conspiracy? He could imagine that if they passed a law to the effect that boycotting was to

*Mr. Rentoul*

be prosecuted as a criminal offence many Members would lose their seats in the South and West. The history of the Land Question had been a history of conspiracy for the last 10 or 15 years. It was by means of illegal conspiracy that the whole land battle had been fought. One prominent Member had said that if they were deprived of this weapon they would be deprived of means of fighting the battle at all. The future legislators of Ireland had been imprisoned for indulging in criminal conspiracy. They were declared by the Prime Minister to be members of a criminal combination, whose footsteps were dogged by crime. "Crime," said the Prime Minister, "dogged the footsteps of the Land League." The Land League was a criminal conspiracy by the law of this country; but what Member of an Irish Parliament would dare to rise in his place and propose that the Land League should be declared to be an illegal conspiracy and its members imprisoned? They (the Opposition) were sometimes accused of quoting old statements. For his part, he never quoted a single statement, old or new, if that statement had been withdrawn. The Prime Minister, however, had never withdrawn the statement that crime dogged the footsteps of the Land League. On one occasion he (Mr. Rentoul) made a quotation from a statement attributed to Mr. Davitt. Mr. Davitt afterwards met him and told him the statement was not accurate, and he (Mr. Rentoul) accordingly got the editor to withdraw the reference from the report of his speech in the official report. This statement of the Prime Minister, as he had said, had not been withdrawn. If these future Irish legislators had been members of that criminal conspiracy, what would be their views as regarded criminal conspiracy when they legislated for the people of Ireland? "Fellow-feeling makes us wondrous kind," and it was very unlikely these gentlemen who had indulged in this pastime would be very desirous of maintaining the law as it at present stood, and as it ought to be maintained, with regard to criminal conspiracy. There had been other conspiracies besides agrarian. In all sorts of ways the Irish people had shown themselves in the past very powerful; and now it was proposed to submit the Unionist minority

in Ireland to those who had been members of these conspiracies in the past. The Prime Minister's one answer to almost all the Amendments was that he trusted the Nationalists. But the Prime Minister, more than any other man, was the one who taught them in the past seven or eight years to distrust the Nationalists, and all the strong statements of distrust were those which were made by the Prime Minister. The Parnell Commission, in one of their findings, said—

"The leaders of the Land League who combined to carry out a system of boycotting were guilty of criminal conspiracy, one of the objects of which was, by a system of coercion and intimidation, to promote an agrarian agitation against the payment of rent."

Was it any wonder, then, that the landlords of Ireland should have been so anxious in regard to having some safeguard applied to them? The Parnell Commission further found that the criminal conspiracy which these gentlemen were leading existed for the purpose of expelling landlords altogether from Ireland, and these very gentlemen were those who said if they gave up these methods they might give up the battle altogether. Seeing that the Law of Criminal Conspiracy was a law of great importance, which had been a subject of gradual growth through three stages in the development of the jurisprudence of this country, and seeing that it was a law very likely to be altered in Ireland, it was surely right that this matter should be kept in the hands of the Imperial Parliament, so that those who represented English, Welsh, and Scotch constituencies, who were impartial and who were away from Irish influences, should hold this matter in their control and should declare that the Law of Criminal Conspiracy should not be altered by the Irish Parliament, and that when any alteration were made it should be trusted to Members of the Imperial Parliament and not to those who had certainly one qualification for dealing with the Law of Conspiracy—namely, that they themselves had been largely engaged in the matter of conspiracy. He begged to move the Amendment.

#### Amendment proposed,

In page 3, line 12, after the word "or," to insert the words "(6) Whereby the Law of Conspiracy may be altered; or." — (Mr. Rentoul.)

Question, "That those words be there inserted," put, and negatived.

MR. J. MORLEY moved the following Amendment:—Page 3, line 14, leave out from "Parliament," to "may," in line 16.

Amendment agreed to.

The following Amendment also stood on the Paper in the name of Mr. J. MORLEY:—

Page 3, line 21, after the word "precedents," to insert the words "and so far as respects property without just compensation: Provided that nothing in this sub-section shall prevent the Irish Legislature from dealing with any Public Department, Municipal Corporation, or Local Authority."

MR. J. MORLEY moved the Amendment as it stood on the Paper, with the addition of the following words:—

"Or of any Corporation administering Public Funds so far as concerns such funds."

He said, the additional words referred to certain Bodies which had to administer Public Funds—such Bodies, for instance, as the Royal Dublin Society, which received a grant of £5,000 a year for improving the breed of horses, and, therefore, to that extent, administered a Public Fund. He proposed that nothing in this sub-section should prevent the Irish Legislature from dealing with any Corporation of that kind administering a Public Fund in that way so far as concerned the administration of such fund. He begged to move the Amendment.

Amendment proposed,

In page 3, line 21, after the word "precedents," to insert the words "and so far as respects property without just compensation: Provided that nothing in this sub-section shall prevent the Irish Legislature from dealing with any Public Department, Municipal Corporation, or Local Authority, or with any Corporation administering Public Funds so far as concerns such funds."—(Mr. J. Morley.)

Question proposed, "That those words be there inserted."

MR. BARTLEY (Islington, N.) said, the right hon. Gentleman had referred to the grant of £5,000 to the Royal Dublin Society for horse breeding. He would point out that the Royal Dublin Society had, in addition to the grant of £5,000, the administration of large funds which were applied for other purposes than horse breeding. He would like to know whether this clause would safeguard

those other funds? The Royal Dublin Society had been in existence for a very long time, and they should understand distinctly whether the whole of their funds were to be safeguarded, or only the portion derived from Public Funds for one purpose?

MR. J. MORLEY said, whatever could be defined as "Public Funds" would be within the purview of the Amendment.

SIR J. GORST said, that, of course, raised the question as to what were Public Funds. If by Public Funds the right hon. Gentleman meant funds derived from the Consolidated Fund in Ireland it would be better to say so.

MR. J. MORLEY: It is not necessary.

SIR J. GORST said, it would be necessary if this Bill was passed. The fund for horse breeding, which at present was paid out of the Consolidated Fund of the United Kingdom, would, if this Bill passed, be paid out of the public taxation of Ireland—

MR. J. MORLEY: The Votes of Parliament.

SIR J. GORST said, when this Bill became law, the funds would be derived from the taxation of Ireland.

MR. J. MORLEY: Yes.

SIR J. GORST said, if that were so, the fact might give the Irish Legislature power, in respect of that fund, to deal with the Society. But would "Public Funds" have no other meaning? Funds might be derived from endowments or manufactures, or in the same way in which Public Funds were dealt with by the Church of England. Was it not a fact that endowments from the public might give the Irish Parliament power to deal with this Society? Seeing that the words might give those powers, it appeared to him that they required further consideration.

MR. SEXTON said, the sub-section as it stood in the Bill was a formidable instrument—one of a very generous scope, and it was hard just at present to say or determine the force with which it would operate. They discussed the matter under somewhat unfavourable circumstances in Committee, and it was suggested that the sub-section should be drawn so as to show what Corporations were to be excluded from the domestic Legislature. It was believed that would



be satisfactory to all the interests concerned. As it stood, the sub-section proceeded on general lines—there was no enumeration, and he confessed he felt great difficulty in determining what Corporations would be subject to the ordinary control of the Irish Legislature, and what Corporations would be subject to the special procedure provided in the sub-section. Practically, every Corporation which was within the sub-section would be subject to Imperial control. The Irish Legislature would, therefore, be unable to proceed in the ordinary way; they would have to get the consent of the Corporation, and afterwards Addresses of the two Chambers, and then the Assent of Her Majesty—that was, the Imperial Government. If the word “property” only had been mentioned, he should at once have conceded that the property of existing Corporations ought not to be dealt with except as provided in the sub-section; but “rights and privileges” were also referred to in connection with Corporations existing in the country, and thus a question of the widest scope and of the first importance was raised. He would ask the Solicitor General (Sir J. Rigby), if he took part in the Debate, to give the House a definition of “Corporation” as dealt with in the clause. “By Royal Charter or by local or general Act of Parliament”—that meant every Corporation or Institution that could possibly exist. It included all the great Institutions in Ireland, and he suspected that it included Railway, Gas, and Water Companies, and Chartered Companies at large. If so, such Bodies as the Trustees of the squares in Dublin and of Nelson’s Pillar, which were incorporated by local Act of Parliament, could not be dealt with by the Irish Parliament—their rights and privileges could not be interfered with—without the consent of the Imperial Parliament. In the case of local Acts, they had the Railway and Gas Companies established under them; and if the Municipalities of Dublin, Belfast, or Waterford desired, for the good of the citizens, to acquire the control of such companies, he thought they could not be dealt with without their consent, or without the Address of the two Houses and the leave of the Imperial Government. The condition of the railways in Ireland was one of the most grievous of the minor questions. The

Directors did not even act wisely in their own interests. The general result would be better if there was power to deal with rates and charges, which, if they were all agreed, were too high. To levy fares and rates was one of the rights and privileges of a Railway Company; but if the Irish Legislature could not revise such fares or rates without the leave of the Imperial Parliament that certainly seemed to him to contravene the idea of autonomy. Again, there was an almost universal desire in Ireland that the railways should be consolidated. Some of them even thought they should be managed by the State. So long ago as 1848 a Conservative nobleman in this House proposed that £16,000,000 should be granted for the purpose of purchasing the Irish railways. Would it be possible for the Irish Parliament to pass a law to consolidate these railways, or to have them worked by the State—would it be possible to pass a law affecting the rights and privileges of the Railway Companies without the leave of the Imperial Parliament? He hesitated to think that the Government intended to exclude the ordinary Commercial Companies from the Irish Legislature. Dealings with Public Companies were a matter of Private Bill legislation, and he would be surprised to hear that matters of that kind were excluded from the Parliament of Ireland. The right hon. Gentleman proposed that Local Authorities should be subject to the Irish Parliament, but there was in the Bill no definition of “Local Authorities”; and the phrase might cover the Municipal Corporations, the Grand Juries, Boards of Guardians, Harbour Boards, Water Boards, Joint Sanitary Boards, Drainage Boards, and Burial Boards. He would be sorry to pin his faith to any Amendment that provided that those Bodies should not be subject to the Irish Legislature. The right hon. Gentleman now proposed to strike out words which he (Mr. Sexton) thought were valuable. He had expressed that opinion in Committee. The effect of striking out the words which the right hon. Gentleman proposed to strike out would be that even though the Corporation might not be a Public Department which administered funds, raised either locally or from the nation, it would be excluded from the Irish Legislature.

It was proposed at the end to insert words to the effect that nothing in the sub-section should prevent the Irish Parliament dealing with any Public Department, Municipal Corporations, or Local Authorities, or any Corporation administering public funds so far as concerned such funds. He admitted that these words went far to limit his objection to his Amendment; but he would prefer that the clause should be allowed to stand as it was, because, if amended as proposed, it would only give them control of funds raised from the public. Beyond those funds Parliament would have no control over the action of any Corporation. His chief concern was as to the general character of the clause—

MR. BARTLEY rose to a point of Order. Did he understand that they were now discussing, not the clause, but an Amendment?

\*MR. SPEAKER: The discussion is upon the words suggested to be added to the clause.

MR. BARTLEY: At the end, Sir?

MR. SPEAKER: At the end. The words are—

“Provided that nothing in this sub-section shall prevent the Irish Legislature from dealing with any Public Department, Municipal Corporation, or Local Authority, or with any Corporation administering Public Funds, so far as concerns such funds.”

MR. SEXTON said, if the hon. Member (Mr. Bartley) would not let his zeal outrun his discretion he might see that it was perfectly possible for him to argue the clause at large. He hoped that was quite satisfactory to the hon. Member. He had only to add that the question he had raised was one which the Government should reconsider. They should like to have the definition of “Public Authority,” and whether they were to have supervision of railways, and whether Commercial Companies were to be excluded? He trusted the right hon. Gentleman would give him an assurance upon these points.

MR. CARSON (Dublin University) said, on his side of the House they had considerable grounds for complaint of the way in which the Chief Secretary had brought forward this Amendment. It was supposed to carry out an undertaking that was given in Committee to put some common sense into the 6th sub-section. The Chief Secretary had

sufficient time for placing his Amendment on the Paper; but what had he done? At the very last moment—in the dinner-hour—he had got up and proposed an Amendment in terms which might vitally change the whole meaning of the sub-section. He did that in the most casual way, and without argument or explanation. There could be little doubt that the explanation would be found in the fact that the hon. Member for North Kerry (Mr. Sexton) was not satisfied with the Amendment as it stood, and so, after a brief consultation, the right hon. Gentleman agreed to bring forward an addition to it.

MR. SEXTON: The hon. and learned Gentleman is quite wrong in supposing I had any consultation on the subject with the right hon. Gentleman. I had no consultation with him at all.

MR. CARSON said, he accepted the assurance of the hon. Member for Kerry. But here they were at the eleventh or twelfth hour, an Amendment being brought forward which would, he said, create confusion to the 6th sub-section. Having regard to what had passed in Committee the other night as to Trinity College, he could not but regard the action of the Chief Secretary as almost amounting to a breach of faith. Examining the matter as it stood, he found that there were at present two methods by which the Irish Legislature could deal with Corporations in any way they pleased; not only that, but they had a third method, by “due process of law.” Now it was proposed to exempt from the purview of the sub-section all cases of Public Funds, which meant funds belonging to Public Bodies—Municipal Corporations and other Bodies.

MR. J. MORLEY: No, no!

MR. CARSON said, in that case what was the argument? They had not even a copy of the Amendment so that they could see its wording, but he had endeavoured to take its meaning as best he could. The Chief Secretary got up in his most innocent mood, which always made the Opposition suspicious, and moved this Amendment. He should like to know what were the Public Funds to which the Amendment referred?

MR. J. MORLEY: The Amendment affects the administration of Public Funds “so far as concerns such funds.”

*Mr. Sexton*

MR. CARSON said, he would like to know what funds were alluded to. What was meant by "Public Fund"? Did that mean funds voted annually by the House of Commons?

MR. J. MORLEY: I define Public Funds as funds raised by taxation, or arising from property belonging to the estate.

MR. CARSON: What estate?

MR. J. MORLEY: Of any Municipal Corporation.

MR. CARSON said, the Chief Secretary did not say so in the Amendment. The words were "any Corporation administering Public Funds." That did not mean "Municipal Corporation." To take the very instance the right hon. Gentleman gave, the Dublin Society was not a Municipal Corporation. It showed the vast inconvenience of the situation that the right hon. Gentleman did not take the trouble to define in the Amendment what were the Corporations and what were the Public Funds aimed at. As the Amendment stood, every one of the endowments of Trinity College would come directly within the purview of the proposal except the private endowments.

An hon. MEMBER: It has an estate.

MR. CARSON said, yes; it certainly had an estate granted by the Crown. Was it meant to capture these endowments? If the Irish Legislature could deal with Municipal Corporations, surely they could deal with the funds of Municipal Corporations. Surely the Amendment was either unnecessary, or it went far and away beyond the words the right hon. Gentleman had thrown out since he (Mr. Carson) had commenced to speak. He would suggest to him that, so far as these were matters of Revenue raised by public taxation, the Irish Parliament would have complete control over their own powers of taxation. Therefore, the Government could not mean Municipal Corporations, or the funds of those Corporations, or any of the taxation over which the Parliament would have complete control. The matter required some elucidation; they should know what the Government were driving at. They should not have matters of such far-reaching consequence brought forward in this manner. There was one other observation he wished to make. The Chief Secretary said the Irish Legisla-

ture were to have power to deal with voluntary Corporations, such as the Royal Dublin Society, so far as they received Public Funds. Did that mean that they were to have power, so far as these particular funds were concerned, to alter the whole foundation and constitution of the Society? Did the words "so far as concern such funds" mean the granting of the funds?

MR. J. MORLEY: No.

MR. CARSON said, the right hon. Gentleman answered "No." What, then, was meant? Was it the administration of the funds?

MR. J. MORLEY: Yes, the administration of the funds.

MR. CARSON said, that if they were to interfere with the administration of the funds of the Royal Dublin Society they would go to the whole root of the administration of that Institution. The Irish Executive would have the power of appointing the persons who would be able to interfere with the whole Corporation. Having regard to the fact that this matter had already been discussed in Committee, that the Amendment was put down several days ago, and that the Irish Legislature had very slight restrictions put upon them by the sub-section, he must say that it was treating the House in a most extraordinary manner to spring this proposal upon it at the eleventh hour in this perfunctory manner.

SIR J. RIGBY said, he did not think there was much mystery about the Amendment. Long ago the Government pointed out at what they were aiming in the exceptions from this clause, although the words were not absolutely conclusive in their meaning. The general purport of the clause was that existing Corporations were not to be interfered with. But, obviously, that went too far, because there were many existing Corporations which had no sort of independent status or authority, and which were Governing Bodies. Of course, as regarded these, it was not intended that they should be in any wise independent of, or superior to, the Legislative Body. The words introduced would have the effect of preventing these Bodies from raising money by way of taxation and of administering such money. The Government had promised to take into consideration a better way of bringing about that effect. They set about considering

how they could do it, and they concluded they had better omit words from the clause, and effect their purpose by a Proviso, because it would then show that the sub-section had nothing to do with that class of Corporation. When the words of the Proviso were put on the Paper, they thought they had secured their object by referring to a Public Department of the Government Municipal Corporations and Local Authorities. There was nothing more remarkable about it or mysterious than this: that on reconsideration they concluded that there were other Corporations which were within the meaning of the words already in the clause; and then it was suggested that wherever there were Corporations dealing with Public Funds, the control to the extent of those funds should be with the Irish Legislature. His hon. and learned Friend asked, what were Public Funds? Was that his mysterious matter? What was meant was, whatever could fairly be described as Public Funds should be within the control of the Irish Legislature.

MR. A. J. BALFOUR: What are Public Funds?

SIR J. RIGBY said, the Government meant by "Public Funds" whatever could be fairly and properly described as Public Funds. They had taken words corresponding with words already contained in the sub-section, words which were intended to have a wide effect. He could not give a full account of what could properly and fairly be called Public Funds, because he did not know. He could not undertake to go into the case of every Corporation. A great many of them were unknown to him; but he did say that they were on safe grounds when they divided Public from Private Funds. He did not fear for the result. [*Laughter.*] The result would work itself out. Wherever there was a Public Fund they must be prepared for it being under the control of the Irish Legislature, and wherever there was a Private Fund they might rest assured that it would not be under such control.

\*MR. D. PLUNKET (Dublin University) said, that perhaps someone on the Treasury Bench would answer the specific question of his hon. and learned Colleague (Mr. Carson) as to whether the new addition now proposed to

*Sir J. Rigby*

the sub-section would affect such property as that of the Royal Dublin Society and of Trinity College. The only answer they had got to that was that these words were to have a wide effect and extent. Over and over again the property of Trinity College, Dublin, had been spoken of by Irish Members and others as public property, in the sense that it was property conferred by the Crown. The hon. and learned Solicitor General was challenged to give an answer of any kind. If they were to understand from the right hon. Gentleman's silence, and from the words he had used as to the wide extent and effect of the Proviso that the Irish Legislature would control Corporations with Public Funds, so far as those Public Funds were concerned, then they wanted to know whether the words proposed applied, or were intended to apply, to such Corporations as Trinity College and the Royal Dublin Society? If that was the intention, the effect of these additional words suddenly sprung upon the House would be to repeal the whole of the protection so long offered and so much relied upon in former discussions. [Mr. J. MORLEY dissented.] He understood from the gestures of the Chief Secretary that the words were not intended to have that effect. Then, would the right hon. Gentleman be good enough to give them some kind of definition of what "Public Funds" were supposed to be? The House had a right to know what was intended by the words before it accepted them.

MR. J. MORLEY said, the Government certainly did not intend by the words to include Trinity College, and as to the Royal Dublin Society hon. Members had not understood what he had said. The Royal Dublin Society at this moment received a grant of £5,000 under the Act of 1888. That they called Public Funds, and as the administrator of such funds the Society would be under the control of the Irish Legislature.

MR. DARLING (Deptford) said, he could not help thinking that the explanation of the Solicitor General had not conveyed as much to the Opposition side of the House as might have been expected; and he rose to supply an omission in the speech of the hon. and learned Gentleman. When the hon. and learned



Gentleman said that that was public which could properly be so called he was using vague and inconclusive language. The hon. and learned Gentleman had been thinking of a maxim with which he was familiar in the Court of Chancery—namely, “that is certain which can be rendered certain.” No doubt the hon. and learned Gentleman meant that that was public property which by Act of the Irish Legislature could be rendered public property. They would only have to pass an Act of Parliament saying that which was private was public in order to render it so, just as that which was uncertain became certain by a decision of the Court of Chancery. “That is public which can properly be so called” said the Solicitor General; but who was to decide what could properly be called public property? The Irish Parliament could pass an Act making that which formerly was private property public property, and the Bill contained no provision by which anyone could decide whether the Irish Parliament used its powers properly or not. The Irish Legislature might make use of idioms that were not recognised in this Parliament. They might do that with regard to property. He hoped the Attorney General, or some other Member of the Government, would give some indication of what was meant by public property, in order that the House and those who had to construe the Act might know what was meant.

\*SIR T. LEA (Londonderry, S.) said, that if hon. and learned Gentlemen had failed to understand the Solicitor General a layman could not be expected to do so. If they were not aware that the Chief Secretary was a man of the highest honour they would be disposed to believe he was endeavouring to obtain an advantage over the Opposition. He added words to the proposal before the House without notice or explanation. The right hon. Gentleman might have given some explanation. For once in his life he (Sir T. Lea) was in agreement with the hon. Member for North Kerry, who had said that railways ought to come under the State. A Bill to bring about the control of the Irish railways by the State would be far better worth discussing and supporting than any Home Rule scheme. Of course, Unionist Members would be suspicious of any Amendment adopted at

the suggestion of the hon. Member for North Kerry. He believed the Amendment would seriously damage the prosperous Harbour Boards of Derry and Belfast; and he would, therefore, offer it an earnest and hearty opposition.

MR. TOMLINSON agreed that the obscurity of the Amendment was not cleared up by the speech of the Solicitor General. He would remind the hon. and learned Gentleman of a statement of his at an earlier stage of the Bill—that any words inserted must mean something, and what the meaning was would have to be determined by some internal authority. The only interpretation to be put upon that was that the meaning of these clauses would have to be determined by a long series of legal decisions. If the Public Funds referred to were funds to be provided by the Irish Legislature the Amendment ought to say so. He, therefore, moved to leave out “Public Funds” for the purpose of inserting “funds provided by the Irish Legislature.”

Amendment proposed to the proposed Amendment,

To leave out the words “Public Funds” in order to insert the words “funds provided by the Irish Legislature.”—(*Mr. Tomlinson.*)

Question proposed, “That the words ‘Public Funds’ stand part of the proposed Amendment.”

MR. GIBSON BOWLES said, the discussion showed the extreme inconvenience of dealing at this stage with matters that ought to have been dealt with in Committee, and the extreme inconvenience of the Government guillotining the Amendments. It showed, further, the inconvenience of the line pursued by the Government last night in insisting that the guillotine should be applied to the Amendments now on the Paper on Friday. Though it was decided that the Amendments of the Opposition were not worthy of being looked at it was assumed that the Amendments of the Government were perfect. But if all the Government Amendments stood as much in need of amendment as the present one, they would have made a pretty mess of their Bill. He doubted whether anyone could state from memory the effect of this Amendment sprung suddenly upon the House. It was not treating the House or the subject with proper consideration to submit an Amendment in this way within a few hours of the application of the Glad-

stonian garotte. What was the origin of the Amendment to the Amendment they did not know ; but this they did know—that the hon. Member for North Kerry left his place ; that shortly afterwards the Solicitor General retired ; and that the hon. and learned Gentleman came back, like another Elisha, wearing the mantle of Elijah.

MR. SEXTON : The words were read out before the Solicitor General came back.

MR. GIBSON BOWLES said, that in that case he was wrong and Elijah still wore his mantle. He (Mr. Bowles) had risen mainly to emphasise the fact that within a few hours of the Government having declared, in effect, that their own Amendments were so perfect that they could be voted upon without discussion on Friday, they suddenly and most unexpectedly proposed an addition of a most important character to one of their Amendments. That being so, he thought the time had arrived when the Government ought to withdraw the monstrous Resolution passed last night with a view to the discussion of their own Amendments at least, if not of the Opposition.

\*MR. BUTCHER (York) said, he found himself in cordial agreement with the hon. Member for North Kerry in thinking that the 6th sub-section was an ill-constructed provision. The House was to be congratulated upon the fact that, by a fortunate accident, they had the opportunity of considering the Amendment of the Government, or else this sub-section, with all its imperfections, would have been forced through the House without the opportunity for any discussion. The Solicitor General had been asked to define the important words proposed to be added to the section. What were the words ? The effect of the Chinese puzzle appeared to be that the Irish Legislature should be allowed to deal with any Corporation administering Public Funds so far as concerned such funds. He could imagine that that might mean that the Legislature might confiscate such funds. It was not unreasonable to ask the Solicitor General to offer some definition of the words "Public Funds." To-night, it must be confessed, they had received a lesson in the art of definition. If the Solicitor General was right, in future they would

be saved the necessity for anything like definitions in Acts of Parliament. The Solicitor General said that "Public Funds" meant, not what might be improperly termed Public Funds, but what might be properly termed Public Funds. A more simple method of reasoning had never been presented to an astounded House. He should like to be informed whether, in the opinion of the Government, the phrase "Corporations administering Public Funds" included Corporations such as Trinity College, Dublin ? The Chief Secretary had said he did not think they would ; but if that was so, would he agree to insert words in the clause to make the point clear ? They knew that Trinity College had been before now, in the course of these discussions, in very serious danger ; and that unless it was very efficiently protected, it would certainly be attacked by the Irish Legislature. The hon. Member for East Mayo had said that if it had not been for an Amendment introduced by the Chief Secretary the other night, Trinity College would have been in danger, and that a determined attack would have been made on its privileges and property. The hon. Member for East Mayo had said—

"If the House will strike out Sub-section 6 altogether, we will agree that Trinity College and other threatened Institutions shall be adequately protected."

MR. DILLON said, that what he had said was that there were two methods of protecting these Institutions—namely, specifying each one, and adopting the proposal of the Government. The Government and the Irish Representatives believed that Trinity College was amply protected by the Bill as it stood ; but the Irish Members were willing that it should be completely protected by name on condition that Sub-section 6 was struck out.

\*MR. BUTCHER said, that he had, therefore, correctly represented what the hon. Member had said. If Trinity College and other Institutions were protected by name, the hon. Member was prepared to permit spoliation in other cases. That was his *quid pro quo*. But since the hon. Member had made his speech the other night, this new Amendment had been brought forward by the Chief Secretary ; and he, therefore, appealed

*Mr. Gibson Bowles*

to the right hon. Gentleman to insert words which would clearly and completely remove all fears that were entertained with regard to Trinity College. It seemed to him that the most satisfactory way of dealing with the matter would be to strike out the words "Public Funds," and use the words in a previous portion of the clause—namely, "taxes, rates, cess, dues, or tolls."

\*SIR C. RUSSELL said, that what had happened was this—when Sub-section 6 was being discussed, the right hon. Gentleman the Member for St. George's Division (Mr. Goschen) called attention to what he considered the bad drafting of the sub-section. He (Sir C. Russell) shared the right hon. Gentleman's view, and perhaps attached more importance to it than he ought to have done; and, as a mere drafting arrangement, he had undertaken that the matter should be dealt with on Report. Now, he would ask hon. Members to read the Amendment. He submitted that it did not in any way depart from the meaning of the clause as it originally stood, and did not extend its operation. The broad character of the sub-section was this—it divided Corporations into two main classes—such Corporations or Bodies as were concerned with the general government of the country it was intended by the Government should be under the control of the Irish Legislature in the ordinary way so far as any other subject was under their legislative control; but, as regarded all other existing Corporations which did not come under that class, one of two courses would have to be pursued. Either there must be Addresses from both Houses of the Legislature, followed by the assent of Her Majesty, before the Irish Legislature could deal with the bodies, or, if expropriation was involved, the Irish Legislature would have to give fair and just compensation. The Government were asked what was the class of Corporation or Body contemplated by the proposal. The Royal Dublin Society was an example of what was meant. That Society could not be dealt with under the clause as it stood, except in the two ways mentioned; but, as regarded the £5,000 voted to it by Parliament, it would be reserved to the Irish Legislative Body to say how it should

be dealt with. No jot or tittle of the protection the clause was intended to afford to Trinity College was touched by any part of the Amendment. A question had been asked as to what was meant by "Public Funds." It was always very easy to claim the right to a definition; but it was not always the part of a prudent man to commit himself to a definition as being exhaustive. He thought, therefore, his hon. and learned Colleague (Sir J. Rigby) was quite right in refusing to commit himself. But he thought there was no lawyer in the House who could not suggest an approximation to what was meant. He should say that "Public Funds" might be described as funds raised by taxation, or arising from property belonging to the State, or to any Municipal Corporation or other Local Authority. That would not be very far from a close definition of "Public Funds." At all events, he could not agree that there would be any real difficulty in the Courts arriving at the intention of Parliament.

MR. A. J. BALFOUR: I think it will be admitted that the House stands, in relation to this Amendment, in rather a peculiar position. Yesterday the Government restricted our powers of discussion on the 36 remaining clauses of the Bill—or the 42 clauses, if the Schedules were counted as clauses—to the next three days. The least we could claim under these circumstances—and I am sure the least the Government desire to give us—is every facility during the brief hours still remaining to us to discuss the questions in the Bill of great public moment and importance. What actually happens is that on the very day after the Resolution has been passed, the Government, who have had plenty of time to think of the question—because they have complained bitterly of the interval which we have obliged them to spend between the days of the Committee and the days of this Report—have not succeeded in finding words which carry out their idea. In a very thin House, during the dinner hour, they suddenly add certain words which, I will do them the justice to say, are intended merely to clarify their meaning, but which have thoroughly befogged the House. They cannot blame us for regarding a step of that kind as one big with unknown

meaning. With the limited time remaining for discussion, and with a great responsibility for the way in which it is spent, the Government would not drop casual Amendments upon the Table unless they had something to get by them. The question is what their object is. To that question we have yet received no satisfactory reply. The words "Public Funds" have never, so far as I know, been used in an Act of Parliament before. [*Ministerial cries of "Yes!"*] I am advised that they have not, and I am also advised that they have never been made the subject of any public decision. There is, therefore, hanging over them, from a legal point of view, very great obscurity. I have always held the view that when the meaning of words is plain to everybody lawyers hesitate too much in introducing them into Acts of Parliament, simply because Judges have never had to interpret such words. There is, however, clear common sense in the lawyers' objection to introduce into an Act new words which do not carry their meaning on their face, which have not been interpreted by the Courts, and which are ambiguous. Everyone must know that the words "Public Funds" are ambiguous. I appeal to hon. Members of this House whether they do not hear constantly, in ordinary political controversy, such funds as those belonging to great Educational Institutions, to Corporations like the City Companies, to Churches, and to Universities, rightly or wrongly described as Public Funds? If the Government do not include such funds, why will they not introduce words which would clearly exclude them? The Government have stated that they do not mean to include Trinity College, Dublin; but they have not explained how Trinity College is excluded. There are great Irish estates belonging to the London Companies. Are they to be regarded as Public Funds, or are they not? Many people call them Public Funds. Are they public or not? How are we to be guided? It is to be observed that the Government themselves, when they originally drafted this clause, must have known that ambiguity resided in these words, because, instead of "Public Funds," they deliberately used the words "taxes, rates, cess, dues, or tolls." Why

did not the Government use in their Amendment the words they originally used in the Bill? Can they complain of us if we feel suspicious on the subject? Our suspicions would be even more justified if we felt inclined to entertain them by the single illustration which the ingenuity of the Government has already used. The three gentlemen who have spoken on behalf of the Government have not been able to produce a single solitary case covered by the words, except the case of the Dublin Society. I may remind those hon. Members who were not here earlier that the Dublin Society get £5,000 annually voted for the breeding of horses. Under the Bill that £5,000 will no longer be voted by this House, but it may be voted by the Irish Legislature. We are actually told that these additional words are required in order that the Irish Legislature may have control over the Dublin Society in so far as the £5,000 are concerned. The Irish Legislature will vote the £5,000 if they desire to do so, and they will vote it under any conditions they like. They may make it £10,000 if they like, or reduce it to a farthing, and they may vote it for cattle instead of horses if they like. The additional words are absolutely inoperative, useless, and childish as far as the Dublin Society is concerned. That being so, is it unreasonable to ask what other Corporations the Government have in view? The hon. Member for East Mayo (Mr. Dillon) expressed on the part of his friends their willingness to enumerate the Institutions which they desire to protect. I should like to put the converse, and ask whether the Government will enumerate the Corporations they desire to attack? If they do not mean to attack anything, why do they use the words at all? It was in their power to introduce these words into the original sub-section; but they did not do so. They now take a general and ambiguous expression; and all we can get out of the Solicitor General in the way of description or definition of what "Public Funds" are is that "Public Funds" are funds which may properly be described as public. That is the kind of elucidation of a difficult question given to us by the Advisers of the Crown. I think that if my hon. Friend who has moved the Amendment to the Amend-

*Mr. A. J. Balfour*



ment would consent to substitute for his terms—which are, perhaps, too narrow—the words actually contained in the Bill, we should be able to see exactly what the Government are driving at. The effect this would have would be to ease a great many of the fears entertained in the House, and to add something not immaterial to what is meant by the description of “Public Funds.”

MR. TOMLINSON said, he should be very glad to carry out the right hon. Gentleman's suggestion.

Amendment to Amendment, by leave, withdraw.

Amendment proposed to the proposed Amendment,

To leave out from the word “administering,” to the end of the proposed Amendment, in order to add the words “for public purposes, taxes, rates, cess, dues, or tolls, so far as concerns the same.”—(Mr. A. J. Balfour.)

Question proposed, “That the words proposed to be left out stand part of the proposed Amendment.”

MR. J. MORLEY: A great deal has been said by the right hon. Gentleman (Mr. A. J. Balfour) as to the sinister intentions of the Government in proposing this Amendment. The history of the Amendment, however, has been already given to the House by the Attorney General (Sir C. Russell). The late Chancellor of the Exchequer (Mr. Goschen) found some fault with the words in the Bill as they stood. It was in order to meet the objections of my right hon. Friend that my hon. and learned Friend promised to find better words; and the Amendment to which so many sinister purposes have been attributed has, therefore, been brought forward in order to fulfil that pledge. As, however, hon. Gentlemen opposite do not fall in with our proposal, and as they suspect all kinds of obnoxious meanings in the Amendment, we are quite willing to go back to our original proposal. The form in which the right hon. Gentleman proposes to take us back is one to which we have no objection.

MR. SEXTON said, he wished to know whether companies incorporated by Local Act—companies incorporated by the Companies Acts and companies incorporated by Charter—were, or were

not, excluded from the sub-section? He wished also to know from the Government what was meant by “Local Authority”? Did the term include minor but still important Bodies like Harbour Boards, Water Boards, Drainage Boards, Joint Sanitary Boards, and Burial Boards, which raised money in some form or other from the public, and which, therefore, he assumed, ought to be included?

MR. DILLON (Mayo, E.) expressed the opinion that the alteration accepted by the Government would entirely alter the meaning of the sub-section as it originally stood in the clause.

MR. A. O'CONNOR (Donegal, E.) asked that the Amendment as it would stand, if the last proposal were adopted, might be read out to the House.

\*MR. SPEAKER: It would read as follows:—

“And so far as respects property without just compensation: Provided that nothing in this sub-section shall prevent the Irish Legislature from dealing with any Public Department, Municipal Corporation, or Local Authority, or with any Corporation administering for public purposes, taxes, rates, cess, dues, or tolls, so far as concerns the same.”

Question put, and negatived.

Question proposed, “That the words ‘for public purposes, taxes, rates, cess, dues, or tolls, so far as concerns the same,’ be added to the proposed Amendment.”

MR. T. M. HEALY (Louth, N.) moved to omit the words “so far as concerns the same.” He said it was quite true that the Government had endeavoured to meet the views of the late Chancellor of the Exchequer; and, of course, instead of expressing any satisfaction whatever, the Opposition had turned round and proceeded to kick the Government for having made a concession to them. He had not had an opportunity of sufficiently considering the Amendment; and, as the Opposition objected to them, he thought the words “so far as concerns the same,” should be omitted. He did not remember the exact history of the Royal Dublin Society. His recollection was that in the last Parliament a proposition was made to the effect that the sum granted to the members of that Body, which had been founded for the benefit of agriculture, should be com-

mutated by the Treasury into a lump sum. The late Colonel King-Harman proposed to give the Society £5,000 a year for the breeding of horses; and the late Chancellor of the Exchequer suddenly—towards Christmas, 1888—stuck in his Probate Duty Bill a grant for that purpose. The result had been that the £5,000 a year had been given to land-grabbers, land agents, and other members of the obnoxious classes of Ireland, whilst none of the money had gone to the honest farmers of the country.

Amendment proposed to the Amendment to the proposed Amendment, to leave out the words "so far as concerns the same."—(*Mr. T. M. Healy.*)

Question proposed, "That the words proposed to be left out of the Amendment to the proposed Amendment stand part of the Question."

SIR J. RIGBY said, the Government were not able to accept the Amendment, as it would not be reasonable. Wherever money was raised in the manner mentioned in the Amendment due control ought to be given to the Irish Legislature; but that control would necessarily stop at the point at which the administration of the funds ceased.

MR. KNOX (Cavan, W.) said, he thought it was worthy of consideration that there were a large number of Corporations in Ireland which did not exist in this country. He referred to the county infirmaries, which were incorporated by special Charters or special Acts. These infirmaries received money from the public cess. When it was desired to reform an Irish infirmary it was necessary to pass an Act through the Imperial Parliament; and he believed that in this Session a Public Act had been passed to remove a few abuses from the Galway Infirmary. Unless the words proposed to be left out were excluded from the sub-section, the Irish Parliament would not be able to reform abuses of administration in these infirmaries, although it would be able to stop the money. The consequence would be that year by year proposals would have to be made to Her Majesty's Government for assent to various Bills dealing with local Corporations. These were essentially questions which ought

*Mr. T. M. Healy*

to be referred to a Home Rule Parliament. The Solicitor General said the Amendment was unreasonable; but it was precisely the same proposal as had been made by the Government themselves.

MR. J. MORLEY: In answer to my hon. and learned Friend, I would point out that, in such cases as he refers to, there would be no difficulty whatever in getting the two Houses of the Irish Legislature to agree to such an Address as is suggested.

MR. KNOX; There might be a difficulty in getting the assent of the Imperial Government.

Question put, and agreed to.

Question again proposed, "That the words 'for public purposes, taxes, rates, cess, dues, or tolls, so far as concerns the same,' be added to the proposed Amendment."

MR. SEXTON said, that for the third time that evening he had to ask for an answer to a question he had put. The Solicitor General had given him an answer respecting Local Authorities which was tolerably satisfactory; but he could not rest content without a reply to the question he had put respecting Public Companies. In order to obtain a reply, he moved to add to the Amendment, "or with any Public Company."

Amendment proposed to the Amendment to the proposed Amendment, to add at the end the words "or with any Public Company."—(*Mr. Sexton.*)

Question proposed, "That those words be added at the end of the Amendment to the proposed Amendment."

SIR J. RIGBY: I regret that by inadvertence I did not on a former occasion reply directly to the hon. Gentleman's question. I do not think that there can really be any difficulty about it. If you except, as is proposed by this Amendment, every Public Company, that would include Railway Companies and Gas Companies; and all the rights of such companies would be subject, with certain exceptions, to the absolute power of the Irish Legislature, which might deprive them of their rights without giving a farthing compensation, and without due

process of law. Certainly, we never contemplated anything of the kind. As regards Railway and Canal Companies, we contemplate, and we understand that the clause as it will stand without this Amendment will provide, that you should only take their undertakings from them on giving them just compensation and providing the proper means by which that compensation should be estimated. With regard to regulations for the public benefit, in the way of the safety of the passengers and so on, I do not apprehend that any of these Companies has the right or the privilege of carrying on business in a way which would be disadvantageous to the public. As regards rates and tolls, they have by legislative enactment the right to make charges, and I apprehend that such rates could not be taken away from them except in the manner provided by the section for the protection of Corporations. The Irish Legislature would not be able to say that Public Companies should no longer be able to charge rates and tolls, and, by parity of reasoning, they would not be able to say that they should only claim one-half the authorised rate.

MR. KNOX said, he sincerely hoped that his hon. Friend would press his Amendment. The Nationalist Members had been told that they were to have power over gas, water, and electricity. It now seemed clear that they were not to have that power. As he understood, before the City of Dublin, for instance, would be able to obtain control of the Dublin gas undertaking, it would have to come to the Imperial Government for permission. It would have to draw up the heads of a Bill, and obtain the assent of the Imperial Government to them; and then the Bill would have to be passed through both Houses of the Irish Legislature without any Amendments. The same would be the case with regard to gas and water in every city in Ireland. So far as the property of a Corporation was concerned, he thought it quite fair that the Irish Legislature should be prohibited from taking it without due process of law: but he submitted that this was already provided for in Sub-section 5. The effect of his hon. and learned Friend's Amendment would be that the Irish Legislature might

deal with Corporations in the same way that it might deal with ordinary individuals; and he thought it a strange thing that a limited or any other company carrying on business in Ireland was to have rights and privileges which would be denied to a private individual. The result of such a provision would be the extension of the system of forming Limited Companies whenever the business was of such a kind that the owners or promoters did not want it to be under direct public control. He hoped, therefore, the Government would see that the restriction should be removed.

\*MR. BLAKE (Longford, S.) submitted that the question was one of very great importance. It was really a question whether a large class of matters which properly belong to a local Legislature should come under the operation of the Irish Parliament, or should be taken direct to the Imperial Parliament. He looked at this matter with some alarm, because he was not able to agree with the view suggested by the hon. Member for Dublin University (Mr. Carson) earlier in the Debate, when, pointing out that the preliminary procedure, before even approaching the Crown, was to obtain an Address from both Houses of the Irish Legislature, that hon. Member alleged that an Address could be got when a Bill could be got. If he rightly construed the clause, an Address could not be got whenever a Bill might be got, because there was no provision for collective action on the part of the two Houses of the Irish Legislature in regard to the Address to the Crown, such as there was in the case of a Bill; and, therefore, the Second Chamber might for all time prevent the Representatives of the people of Ireland from even approaching the Crown to ask its consideration of the question whether the Irish Legislature should be able to deal with local Irish Companies. He would submit, therefore, that there should be some provision for collective action with regard to Addresses to the Crown, so as to secure, as in the case of Bills, the reconciliation of divergencies of opinion on such matters. The proposal that would set up the Second Chamber with an absolute veto on Addresses to the Crown was wholly indefensible, at any rate from those quarters which had already recog-

nised the propriety of providing a means, by collective vote, of overcoming divergence of opinion in the case of Bills.

MR. J. CHAMBERLAIN: I have listened to this Debate with very great interest and no little amusement. I would preface what I have to say by suggesting that the Prime Minister should devise some form of Closure which would give us some compensation for the time wasted by his own supporters. We are discussing one of the safeguards—Heaven save the mark!—which the Government had put into this Bill. It does not say that the Irish Parliament shall not deal with the Corporations, or Companies, or Local Authorities, or anything else. But it does say that the Irish Parliament shall not deprive these Corporations of their properties and rights without due process of law and just compensation, unless the consent of both Houses of the Legislature is given. So that it only protects these unfortunate companies to this extent—that they are not to be robbed—that is not too strong a word; that their property shall not be taken from them without just compensation and an Address from both Houses of the Legislature. I do not think that that is much of a protection. When it came to robbing these Bodies I am not certain that the Address will not be forthcoming. But what is the position of hon. Gentlemen from Ireland in regard to this safeguard? With one accord, including that great Constitutional authority the hon. Member for North Longford, they demand that as many Bodies as possible shall be excluded from this minimum of protection. And this Debate has occupied an hour and a half of the time which properly belongs to the Opposition. The hon. Member for Cavan actually says that, if this safeguard is adopted, the Irish Legislature shall have no power over gas, water, and electricity—

MR. KNOX: I expressly stated that one of the reasons why I supported the Amendment was because these Corporations could not, even if the Amendment were carried, be deprived of their property without due process and compensation, as that is provided for by Clause 5; and I say that it is an outrage for the right hon. Gentleman to accuse us of an intention to rob these Bodies when we have

*Mr. Blake*

expressly stated that it was not our intention to interfere in any way with the protection of their property.

MR. J. CHAMBERLAIN: The explanation explains nothing. The explanation is a condemnation of the drafting of the Bill. The hon. Member for Cavan thinks that this section is absolutely unnecessary, as all the protection which it gives is given by Sub-section 5. Well, he differs with the Solicitor General and the Attorney General, who are responsible for drafting this part of the Bill—

MR. KNOX: I am sure the right hon. Gentleman does not wish to misinterpret me. If I may say so, my argument was this. There are three things raised—rights, privileges, and property. Property is fully dealt with in Clause 5. Rights and privileges are subordinate things, and the object of our Amendment is to remove the prohibition from the Irish Parliament of dealing with rights and privileges. I was not in any way questioning the general drafting of the Bill. I only said that we ought to have the power of dealing with the rights and privileges, even if restricted from taking away the property of those Bodies.

MR. J. CHAMBERLAIN: The explanation of the hon. and learned Gentleman is longer than his original speech. I really believe that he has not read the sub-section. I noticed when he got up that he was entirely ignorant of Sub-section 6 as drafted by the Chief Secretary, because he omitted altogether to deal with this question of just compensation until reminded of it by the hon. Member for North Kerry. Now, the hon. and learned Member gets up and tells us that all the protection that is afforded by Sub-section 6 would be afforded by Sub-section 5.

MR. KNOX: As regards property.

MR. J. CHAMBERLAIN: I have to point out to him that that is not the case. Sub-section 5 provides a qualified protection for persons and for private property, and Sub-section 6 deals with Corporations. The two are entirely distinct and separate. One deals with individuals, and the other deals with Corporations.

MR. KNOX: Persons include Corporations.

MR. J. CHAMBERLAIN: Having explained this matter to the hon. and learned Gentleman on behalf of the right



hon. Gentlemen who have drafted the Bill, I proceed to consider the Amendment before the House. The hon. and learned Member gave us the impression that if this Amendment of the Chief Secretary were accepted in all its terms it would exclude the Irish Legislature from dealing with gas and water. Nothing of the kind. It would still be competent to the Irish Legislature to pass Bills regulating Gas and Water Companies in the interests of the public, and to take the property of such companies and transfer it to Local Authorities, provided that just compensation is given. I must say that, under these circumstances, the discussion raised by hon. Members below the Gangway opposite is an absolute waste of time and deliberate obstruction.

MR. T. M. HEALY said, as he understood the argument of the right hon. Gentleman who had just spoken, a Member, if he came from Sheffield or Birmingham or the Borders, was entitled to talk on this Home Rule Bill; but if he came from Tipperary, or Cork, or Louth, or Dublin, then his function was to hold his tongue, and to allow Birmingham and Sheffield and Partick—especially Partick—to deliver long speeches by the hour and a half. He had thought, after listening for 77 days to the right hon. Member for West Birmingham making 777 speeches, that really in the eleventh hour hon. Gentlemen from Ireland should be allowed upon this question to say a few words. When the right hon. Member for West Birmingham got up, he (Mr. Healy) thought he was going to say—"I am in favour, at any rate, of giving a Gas and Water Bill." He thought he was going to refer to the Amendment, for which he voted last week, of the hon. and learned Member for Harrow, and for which every Tory and Unionist voted, and said, "Here is our Home Rule Bill."

MR. J. CHAMBERLAIN: There was no Division on that Amendment.

MR. T. M. HEALY said, he wished to know, was the right hon. Member for West Birmingham blaming the hon. and learned Member for Harrow because he would not support him, who was going to give over education and land, and who now would not give them Private Bills? He would say, give them Home Rule according to Harrow. He had in his hand the

Standing Orders of the House, from which he observed that the proposal of the hon. and learned Member for Harrow would give the Irish Parliament the power of dealing with Burial Boards, Charters, and Corporations, and enlarging or altering their powers; but they were told by the right hon. Member for West Birmingham and the Government that it would be robbery to give an Irish Parliament that power. The point now made by the right hon. Gentleman the Member for West Birmingham was that if the Irish Parliament got this power they would rob those Corporations. All they claimed was to have power to deal with those Corporations, and if they took their property they would pay them for it. He would give the right hon. Member for West Birmingham—who was, no doubt, very learned in all these matters—an illustration of the effect of this clause if carried. There was at present a bridge across the Suir at Waterford, built, he believed, in 1777, and bearing an inscription to the effect that in that year Catholics and Protestants in Ireland became united. The bridge had fallen into a bad state of repair, and though the Judges at Assizes had frequently complained of it, nothing could be done on account of the powers vested in the Local Authority in respect of it. Last year they experienced a similar difficulty in connection with some of the infirmaries in Ireland. He might further mention that there were at least four squares in Dublin incorporated under Local Acts passed by the Irish Parliament; and now, as he understood the proposal of the Government, it would be out of the power of an Irish Legislature even to deal with the paving of those squares. He would prove what he said, because, two years ago, when they wished to improve the squares of Dublin, they had to go to the Imperial Parliament for a Local Act. It might be said, in replying, that under similar circumstances they could easily come there again and get a Local Act; but surely they did not want the Irish Members coming there looking for Local Acts after they had got Home Rule. He regarded the clause under discussion as in an extremely unsatisfactory position, and he hoped the Government would reconsider it at some future time

Question put, and negatived.

Words added to the proposed Amendment.

Amendment, as amended, agreed to.

On Clause 5.

MR. PARKER SMITH moved to leave out the words "in Her Majesty's name," and to insert the words "as representing Her Majesty." That was not a mere verbal Amendment, for it would have the effect of altering the Advisers of the Lord Lieutenant in these matters from the Irish Parliament to the Imperial Parliament. The clause was a difficult one to understand, so far as the action of the Lord Lieutenant was concerned. There were three separate phrases used in the clause—"on behalf of Her Majesty"; "by Her Majesty"; and "in Her Majesty's name." As far as he could understand, the two phrases "on behalf of Her Majesty" and "in Her Majesty's name" were exactly the same; and he did not see why separate phrases should be used, except it was solely for the purpose of providing variety of expression.

It being Midnight, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

# STATUTE LAW REVISION (No. 2) BILL. (No. 437.)

## COMMITTEE.

Bill considered in Committee.

(In the Committee.)

First Schedule.

Question proposed, "That this be the First Schedule of the Bill."

MR. T. M. HEALY (Louth, N.) said, he thought this would be a convenient opportunity for the Committee to hear the views of the right hon. Gentleman the Member for Bury with regard to the insertion of the words he desired respecting flags. He moved to report Progress.

Objection being taken to Further Proceeding, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

# SUPREME COURT OF JUDICATURE BILL [Lords].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 444.]

# LABOURERS (IRELAND) ACTS (COTTAGES.)

Return ordered, "showing (1) the number of cottages built and authorised in Ireland under the Labourers (Ireland) Acts, and their cost; (2) the number of cottages built and authorised in each province of Ireland under the said Acts, and their cost, and the Poor Law valuation of each province; (3) the number of cottages built and authorised in each county of Ireland under the said Acts, and their cost, and the Poor Law valuation of each county; (4) the number of cottages built and authorised in each Poor Law Union in Ireland, and their cost, and the Poor Law valuation of each union; and (5) the names of the electoral divisions on which cottages have been built or authorised, the number of cottages built or authorised on each electoral division, the cost of such cottages, and the Poor Law valuation of each of said electoral divisions."—(*Sir Thomas Esmonde*.)

# PRISON ACCOMMODATION (METROPOLIS).

Address for "Return showing (1) the number of prisoners in each of the Metropolitan Prisons on the 26th day of August, 1891, distinguishing males and females, and giving the numbers in ordinary cells, in cells authorised for three persons, in association rooms, and in hospital respectively; (2) the numbers of male and female prisoners in each of the Metropolitan Prisons on the first Tuesday of each month (up to and including August) in 1893; (3) the total available accommodation in each Metropolitan Prison in ordinary cells, in cells authorised for three persons, in association rooms, and in hospital respectively."—(*Mr. Morton*.)

House adjourned at five minutes before Twelve o'clock.

HOUSE OF COMMONS,

*Wednesday, 23rd August 1893.*

ORDERS OF THE DAY.

GOVERNMENT OF IRELAND BILL.  
(No. 428.)

CONSIDERATION. [TWELFTH NIGHT.]

Bill, as amended, further considered.

MR. PARKER SMITH (Lanark, Partick) said, he should require to recapitulate some of the observations he had made five minutes before midnight last night in introducing his Amendment. That Amendment was to the effect that the prerogatives of the Queen shall be exercised by the Lord Lieutenant, and that he shall, "as representing Her Majesty" (instead of "in Her Majesty's name," as provided in the clause), summon, prorogue, and dissolve the Irish Legislature. This might sound like a verbal Amendment, but he did not think the Government would so regard it. The scheme of the Bill was that two particular phrases should be used, so that when the Lord Lieutenant was to "represent Her Majesty" it meant that he was to act on the advice of the Imperial Government; but when the words "in Her Majesty's name" were employed they were intended to signify that whatever had to be done should be done on the advice of the Irish Executive. The particular prerogative given by the clause stood on a different footing from all the other prerogatives delegated to the Lord Lieutenant under the Bill, because the latter might be withdrawn from time to time; but in the present case the prerogative was not delegated; it was absolutely given by Act of Parliament, and could only be withdrawn by Act of Parliament. He wished to point out what would be the effect of his Amendment. There might be cases in which some foreign complication occurred as to which it might be of the first importance to the Imperial Parliament to prorogue the Sittings of the Irish Legislature. There might also be cases in which it might

be important to summon the Irish Legislature; while in the case of a divergence between the two Governments it might be essential to the Imperial Government that it should have power to dissolve the Irish Legislature, so that an appeal might be made to the Irish constituencies. It seemed to him it would be a satisfactory solution of the difficulty if the prerogative were left on the footing of other prerogatives. If it were delegated, with the power of recalling it at any time, it would be satisfactory.

Amendment proposed,

In page 3, line 29, to leave out the words "in Her Majesty's name," in order to insert the words "as representing Her Majesty."—(*Mr. Parker Smith.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) said, as far as he understood the explanation of the hon. and learned Member, the object of the Amendment was to reserve to the Imperial Parliament the power of deciding when the Lord Lieutenant should dissolve the Irish Legislature. The hon. and learned Member contended that the Imperial Government ought to have the opportunity and the means of signifying when they thought the Irish Legislature should be dissolved. Apart from the other objections to this proposal, the hon. and learned Member must see that, if it were adopted, it would take away from the Irish Government or the advisers of the Lord Lieutenant the responsibility for what was undoubtedly one of the most important, solemn, and decisive acts in which any Government could take part in advising either the Sovereign or the Lord Lieutenant. What, he asked, would be the effect on the position of that House if there were some Body outside it—he wished it to be understood that he was not now thinking of "another place"—but some entirely different Body, the Ministers of which had the power of compelling the Government of Her Majesty to advise the Sovereign as to when it was proper to dissolve the Imperial Parliament. Such a state of things would entirely contravene the whole spirit and working of our Parliamentary Institutions. It was true that circumstances might arise in which

according to the views expressed by the hon. and learned Member, a Dissolution of the Irish Legislature would be deemed necessary; but if such a crisis should arise, it would be easy for the Government or Imperial Parliament to signify to the Lord Lieutenant that such a view was entertained. He confessed, however, that he could not contemplate the possibility of such a power being exercised except under the most remarkable and extraordinary circumstances, and unless they arose he could not imagine a case in which such a power could ever be exercised. He should like to know, supposing the Irish Government were averse to a Dissolution, and a Dissolution were, nevertheless, forced upon them in the way the hon. and learned Member thought desirable, what would be the effect of such a step on the part of the Imperial Government upon the electorate of Ireland? He could hardly conceive anything that would be more certain to turn public opinion in Ireland against that Party in Ireland who were in the minority of the Irish Legislature, and who were accomplices in such an invasion of the natural and Constitutional privileges of the advisers of the Lord Lieutenant. On these practical grounds, and without going into the details referred to by the hon. Member, the Government must oppose the Amendment.

SIR H. JAMES (Bury, Lancashire) said, he thought that some protest ought to be made against one of the arguments used by his right hon. Friend the Chief Secretary. The right hon. Gentleman had said that they in the Imperial Parliament would not tolerate any other Body in interfering in such a way with the advice of the Imperial Ministers as to bring about a Dissolution of the Imperial Parliament. So far he agreed with his right hon. Friend; but he wished to know whether the right hon. Gentleman put it to the House that there was a complete analogy between the Imperial Parliament of the United Kingdom and a subordinate Parliament in Ireland?

MR. J. MORLEY was understood to reply in the negative.

SIR H. JAMES said, at any rate, for the purpose of the clause, the Irish Parliament was to be in an equal position to the supreme Parliament, but he (Sir H. James) had never before heard that there

was any claim for announcing a Dissolution of the subordinate Parliament such as existed in the Imperial Parliament. His right hon. Friend had said the Imperial Government ought not to have the supreme power asked for by the Amendment, because the Lord Lieutenant might, on the advice of the Imperial Government, dissolve the Irish Parliament, and at the same time he had said what an extraordinary and repulsive thing it would be to the Irish Legislature if they should provide positively in this Bill that this power should be maintained by the Imperial Parliament. He (Sir H. James) could not see where his right hon. Friend's indignation should come, seeing that in the same breath he said that on a crisis the Lord Lieutenant might advise the Imperial Executive. He (Sir H. James) did not see what course the hon. and learned Gentleman would take in regard to dividing the House. He quite saw that there might be different views on the one side and the other, but he did not think that those of the right hon. Gentleman the Chief Secretary were the views that should prevail.

\*MR. BARTLEY (Islington, N.) said, this short discussion showed how they were drifting in this Bill. At the commencement of the Debates the Prime Minister had continually stated that the Irish Legislature was to be a subordinate one, and when he (Mr. Bartley) had brought forward an Amendment to secure that it should be actually styled in the Bill subordinate, it was distinctly stated that it would be such in reality, and that it was, therefore, unnecessary to put in the words. But an incidental remark just made by the Chief Secretary showed that the Government would not accept the proposed words, because in their own minds they meant that this was not to be a subordinate Legislature in all matters that concerned it, but was to be co-ordinate with the Parliament at Westminster.

MR. SEXTON (Kerry, N.) said, that if the Debate was short it had disclosed a great deal of ignorance also. He entirely failed to understand the hon. Member (Mr. Bartley) when he said the House was drifting in a certain direction. In what sense did the refusal of the Amendment show that the Irish Parliament was not to be a subordinate Parliament? The hon. Gentleman said the House was

*Mr. J. Morley*



drifting, and that the admission that the Irish Parliament was a subordinate Parliament had been given away by the refusal to adopt the present Amendment, and that, consequently, the Irish Parliament would not be subordinate. The Irish Parliament, like every other Parliament of the Empire, except that in which they sat, would be a subordinate Parliament. He did not hear either from the hon. Gentleman (Mr. Bartley) or from the right hon. Gentleman the Member for Bury (Sir H. James) the fact or the usage of limiting the Session of Parliament in any of the Colonies by the will of the Imperial Ministry. This was no new experiment that was being engaged in—

**MR. A. CHAMBERLAIN :** Hear, hear !

**MR. SEXTON :** The gentleman who cheered that was very young. He might as well stay there and learn something. He showed more a willingness to follow parental example than a Constitutional knowledge to sneer at what he did not understand. The Irish Parliament would not be alone. There were about 20 others in the Empire. There were seven in Australia, one at the Cape, eight or nine in Canada, and there were others in various other places in the Empire.

**VISCOUNT CRANBORNE :** Hear, hear !

**MR. SEXTON :** Could the noble Lord who cheered ironically name one of these in which either the beginning of a Session, or the end of a Session, or the duration of a Session of Parliament was determined by the Imperial Ministry? If the noble Lord could not, he had better allow the argument, properly so-called, to proceed. Was it really seriously proposed that after a Parliament was established in Ireland to look after Irish affairs Ministers responsible to the Imperial Parliament, and knowing less then, he supposed, of Irish affairs than they did now—which was saying a great deal—that they were to say when the Session of the Irish Parliament was to begin and end, and when the Parliament, created by the electors in Ireland, was to be dissolved? The beginning and end of the Sessions should be determined by the convenience and necessities of Ireland. The Irish people knew better than the Imperial Parliament could know when their own Parlia-

ment should begin and end, and the Irish Ministers were the persons to say when the Irish Houses should meet, when their business was done, and when it was that it was expedient that their functions should cease. The proposal to place these matters in the jurisdiction of Ministers in England was absurd, and he thought it right that one Irish Member at least should speak in the Debate, and say that the proposal raised in the Amendment was one that would not be tolerated.

**MR. BYRNE** (Essex, Walthamstow) said, the hon. Member for North Kerry (Mr. Sexton) asked them to point out any other subordinate Parliament to which such a provision as that which it was now sought to incorporate in the Bill applied. Well, he (Mr. Byrne) would venture to suggest, by way of reply, that this was essentially a new experiment, and he would ask the hon. Member for North Kerry, in turn, if he could point to a single subordinate Legislature that had representation in the Imperial Parliament? The hon. Member said—"How can you know as well as Ireland when the Prorogation of the Irish Legislature should take place?" He (Mr. Byrne) begged to protest against that form of expression. Since Clause 9 had been passed Nationalist Members ought to use the expression "we," and not "you," in speaking of this House, for they would be Members of it, and the Imperial Executive would represent them equally with the other parts of the United Kingdom.

**MR. A. J. BALFOUR** (Manchester, E.) said, he did not think that the matter was so simple as the hon. Member (Mr. Sexton) seemed to suppose. The hon. Member had quoted Colonial precedents, as hon. Members invariably did when they suited their purpose, and repudiated them when they did not. But as the hon. Member who had just sat down had so well pointed out, in reality there was no analogy between Ireland and the Colonies. There was one difference that had escaped his hon. and learned Friend, to which attention should be invited—a difference that was vital. Here was an operative veto to be given on the advice of a Minister responsible to the Imperial Parliament. Let them suppose that the veto was used, and that the Ministry in Ireland resigned. The Lord

Lieutenant would find himself saddled with an ex-Ministry that had the confidence of the Legislature, and to whom no successor would be found which would have that confidence. How were they to get out of the deadlock unless they allowed the Lords Lieutenant to ascertain whether the deliberate voice of the Irish people was or was not in harmony with the representation of the Legislative Assembly? He assented to what had fallen from the hon. Member for North Kerry as to those cases in which they would be dealing with purely Irish affairs—when the Viceroy, for instance, was acting on the advice of the Irish Cabinet, and on that alone, and where the matter was a purely domestic one. There would be a good deal then to be said for the hon. Member's view. But by the whole structure of the Bill it was evident that crises would arise in which the Lord Lieutenant would act as a Member not of the Irish Government, but of the Imperial Government, and he thought that when those crises did arise they ought to allow the Imperial Government, acting through the Lord Lieutenant, to have power not merely to say—"We will have this Bill and we will not have that Bill," but to say—"We will take the voice of the Irish people; we will dissolve the Legislature, and find out what their views are, and let them shape your future policy."

MR. SEXTON said, that if a Bill passed, it would not be open to the Lord Lieutenant to evade giving his assent by dissolving Parliament; but if the Government resigned, there would be no Irish Cabinet, and the Lord Lieutenant might, of course, dissolve.

MR. A. J. BALFOUR said, he was assuming that the Lord Lieutenant refused his assent, acting on the advice of his colleagues in Great Britain, saying—"We will not allow you to pass this Bill." Thereupon, he assumed that the Irish Ministry would resign or would be dismissed by the Lord Lieutenant, who, however, could not form another Government having the confidence of the Irish Assembly.

MR. SEXTON: He would dissolve.

MR. J. MORLEY: He would act on his own judgment.

MR. A. J. BALFOUR: Then they were to have the Lord Lieutenant in

three capacities. He found it hard enough to swallow the Lord Lieutenant in two capacities. Now, it appeared, they were to have him acting in three. If they were to have the Lord Lieutenant sometimes the mouthpiece of the Irish Government, sometimes the mouthpiece of the English Government, and sometimes acting on his own responsibility, he would be a veritable official Cerberus with three heads. The Lord Lieutenant would find it difficult to carry out the multifarious duties which would devolve upon him. It appeared to him that the case he had stated was one which deserved the attention of the Government, and which could not be so lightly dismissed as the hon. Member for Kerry (Mr. Sexton) had attempted to dismiss it.

MR. W. E. GLADSTONE: The right hon. Gentleman has spoken of the Lord Lieutenant acting in three capacities, and has referred to him as a Cerberus barking in Dublin. If that comparison holds good we have such a Cerberus in every self-governing colony, because in all such colonies the Lord Lieutenant will sometimes act on the advice of the local Executive, will sometimes exercise the veto on his own responsibility, and will sometimes refer to the Imperial Government for his instructions. So will it be in Ireland. I do not deny that the crisis, with the arrival of which the right hon. Gentleman feeds and entertains his imagination, may possibly in some remote case occur. He says it is a certainty. I do not admit it to be a certainty, but, at all events, the Bill provides for it. The right hon. Gentleman says that in consequence of some extremely rare and highly improbable case the exception now proposed ought to be agreed to. If we are to act upon that proposal it will be exactly like the case of a physician recommending all the Members of this House to be in a state of constant physis when they are in good health. We provide for the regular action of the Irish Government, and we decline to frame our Bill on the supposition that extreme and improbable cases will habitually occur.

\*MR. BLAKE (Longford, S.) denied that in the suggested case of a conflict between the Viceroy and his Cabinet the latter would be called upon to resign. If the Irish Executive, upon whose re-

*Mr. A. J. Balfour*

sponsibility a Bill had passed through both Houses of the Irish Legislature, felt that it had with it the Irish people, its position would not be weakened but strengthened by the circumstance of the supposed conflict. To suggest that because the Irish Government found that the Imperial Government declined to permit the Viceroy to give his assent they would resign was to put them in an illogical and utterly inconsequential position. In rare instances in the Colonies—and he believed such instances would be rare in Ireland—Bills had been disallowed or the Royal action had been reserved, but it had never been suggested that it then became the duty of the Colonial Government to resign. The Irish Government, instead of resigning in such a case, would rather adhere to their offices, and at the appropriate time decide whether they would take the judgment of the Irish people as to whether they should persist in presenting the measure to which the Imperial Government had refused to assent. If the Irish Ministry resigned for this or any other reason it would be the duty of the Viceroy to try and find other advisers, and if he failed to do so he would be bound to recall his old advisers; and so to act upon advice as to a Dissolution, or any other Irish political question.

COMMANDER BETHELL (York, E.R., Holderness) said, the argument used by the hon. Member who had just sat down was directed against the Irish Legislature being placed in any subordinate position at all. The hon. Gentleman said that in case of a difference of opinion between the Irish and the British Parliament it would be the duty of the Irish Parliament to persist in the course it had pursued and to appeal to the Irish people. It seemed to him (Commander Bethell) that the Amendment showed that the Constitutional system in vogue in Great Britain was not necessarily good for a country which was not a Sovereign Power. It was because Ireland was not a Sovereign Power that difficulties of this kind had perpetually cropped up.

Question put.

The House divided :—Ayes 127 ; Noes 83.—(Division List, No. 278.)

SIR H. JAMES (Bury, Lancashire) said, he wished to move an Amendment

providing that there should be annual Sessions of the Irish Legislature. No doubt such a provision was made in the Schedule, but the difficulty was that under the 29th section of the Bill the Irish Legislature might repeal that provision. He wished to make it clear that the provision could not be repealed by the Irish Legislature. The Schedule which directed that the Irish Legislature should meet once a year, being merely a part of the Election Law, might, under the provisions of Clause 29, be repealed by the Irish Legislature, and then the Irish Government would have their hands free to summon or not to summon the Irish Legislature as they might think fit. Such a state of things they would all deplore. He hoped they would not have that proposal described as an insult to the Irish people, for this was a duty imposed on all subordinate Parliaments by the Statutes which created them. He had before him the Constitution of British North America, under which both the Dominion and the Provincial Parliaments were bound to meet every year, and a similar provision was embodied in the Constitution of New South Wales and Victoria. As it was evident that the Government intended that a like obligation should be imposed on the proposed Irish Parliament, he hoped that they would get rid of all doubt by accepting his Amendment.

Amendment proposed, in Clause 5, page 3, line 30, after the word "summon," to insert the words "at least once in every year."—(Sir H. James.)

Question proposed, "That those words be there inserted."

MR. SEXTON (Kerry, N.) said, it was undoubtedly necessary, and it was indeed the intention of the Irish Members, that the Irish Legislature should assemble every year, but he thought that the provisions of the Bill as they stood in the 29th clause and in the Sixth Schedule would sufficiently secure that object. The right hon. Gentleman seemed to be under the impression that this was a matter of Election Law; but if he would look to the Definition Clause he would find that the point did not come within the Election Law, nor could that part of the Schedule that applied to it be altered by the Irish Legislature.

SIR H. JAMES said, the words of the 29th clause were to be read subject to the Sixth Schedule, which incorporated the Election Laws.

MR. SEXTON: But it is not Election Law.

SIR H. JAMES: I think it is.

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.) said, that while he agreed with the hon. Member for North Kerry (Mr. Sexton) that the summoning of the Irish Legislature did not come within the Election Law, and that the portion of the Schedule which related to it was sufficient, nevertheless, as the Amendment merely expressed what was undoubtedly the intention of all Parties—namely, that the Irish Legislature should sit every year, the Government saw no objection to accepting it.

Question put, and agreed to.

MR. AMBROSE (Middlesex, Harrow) said, he desired to move the addition of the following words at the end of the sub-section:—

“And at the expiration of forty days from the date of such instrument of delegation having been so presented to the two Houses of Parliament, but not before, such delegation shall become effective and binding, unless in the meantime an Address has been presented by both of the said Houses praying Her Majesty to revoke or cancel such delegation.”

The 3rd and 4th clauses proposed to codify the general powers conferred by the 2nd clause, and not a little jealousy was displayed in the exceptions made in reference to the Army and Navy and educational questions. But while the House had shown its appreciation of the importance of qualifying the powers of the Legislature, the framers of the Bill appeared to have utterly forgotten that the powers of the Executive were quite as important, if not more important, than the powers of the Parliament. By the 5th clause it was proposed to give to the Government of the day the power of delegating to the Lord Lieutenant the prerogatives of the Crown, and apparently there were no restrictions to that power of delegation; while the Lord Lieutenant, who would have the exercise of these prerogatives, would be subject to the control of the Irish Executive and of the Irish Parlia-

ment. The effect of delegating the prerogative of the Crown would be practically to place such a prerogative as that of the exercise of mercy in the hands of the Irish Legislature, who would thereby obtain the power of condoning such criminal offences as they might think fit. The framers of the Bill assuredly could not have realised the full extent of their 5th clause. These prerogatives covered an enormous field, and the House ought certainly to keep these matters in its own hands. When the Bill was in Committee he proposed that the delegation of these powers should be in a certain form, and should be laid upon the Table for a certain period before it took effect, so that the House and the country might know what powers were intended to be conferred on the Irish Executive. The right hon. Gentleman the Prime Minister, however, while not exactly accepting the Amendment, introduced some words by which, as he said, the object of his proposal was accomplished. These words at the end of Sub-section (1) of the clause read—

“And every instrument conveying any such delegation of any prerogative or any other Executive power shall be presented to the two Houses of Parliament as soon as conveniently may be.”

That, however, did not give to this House any control over the delegation, whatever it might be. He thought the House would object to any delegation of the prerogative of mercy, and it certainly would object to any delegation of the prerogatives of the Crown with reference to the Army and Navy, or in regard to education. The object of his Amendment was to give the House some control over the delegations before they should become effective; for when once the thing was done it would be very difficult to withdraw it, and such a withdrawal could only create a sense of injury on the part of the Irish people. The Amendment brought before the Committee was not the same as the present Amendment, which was based on Section 41 of the Endowed Schools Act, 1869, and it certainly seemed to him that what they were entitled to do in regard to the administration of a charity they ought certainly to do under the new Constitution the House was now creating. He begged to move the Amendment standing in his name.



## Amendment proposed,

In page 3, line 33, after the words "may be," to insert the words "and at the expiration of forty days from the date of such instrument of delegation having been so presented to the two Houses of Parliament, but not before, such delegation shall become effective and binding, unless in the meantime an Address has been presented by both of the said Houses praying Her Majesty to revoke or cancel such delegation."—(*Mr. Ambrose.*)

Question proposed, "That those words be there inserted."

**MR. W. E. GLADSTONE:** I think it is quite plain from the language of the 5th clause that these are delegations to the person and not to the office of the Lord Lieutenant. It appears to me that there are three objections to this Amendment, each of which is fatal. In the first place, there is no precedent for any provision in the slightest degree resembling that which is now proposed. It is perfectly true that in many cases of what may be termed subordinate legislation reservations of Parliamentary power are made which enable Parliament to intervene in cases where it is thought that powers which may be called into exercise and may arise out of circumstances involving an infinity of detail have not been judiciously used. But here the case is totally different. It is most proper that every facility should be given for appealing to the Imperial Parliament to intervene to prevent the misuse of its functions by the Executive Government. The hon. and learned Gentleman says that the provision made in the clause is not enough, and that these instruments of delegation should be submitted to this Parliament before they should come into effect. The hon. and learned Gentleman thereby raises a question of a high Constitutional nature, belonging exclusively to the functions of the Executive Government. It is provided in the clause that all such delegations shall be forthwith submitted to Parliament, but the hon. and learned Gentleman contends that the delegations must be submitted before they take effect. That is a very high Executive duty which the hon. and learned Member wishes to transfer to this Parliament. An important Constitutional question is involved in this proposal. Suppose a delegation is framed in a careless manner and escapes the notice of Parliament for 40 days owing to pres-

sure of business, whose fault will it be if the faulty instrument becomes operative? It will be the fault of the Imperial Parliament, because that Parliament will have had the final determination of the matter. The business of a deliberative Assembly does not fit it for the discharge of Executive functions. The second objection is that if the Lord Lieutenant dies while this Parliament is not sitting no action can be taken under this Amendment until Parliament meets again, and until 40 days after that. The third objection has reference to public emergency, which is a circumstance which ought to be taken into view and provided for. How can the prompt meeting of such an emergency be reconciled with the stipulation that no action is to be taken until after the lapse of 40 days? In view of all these objections, which appear to me to be fatal, I can hardly believe that the proposal of the hon. and learned Gentleman will receive the general support of the House.

**MR. TOMLINSON** (Preston), said, the observations of the Prime Minister appeared to show what enormous confusion and difficulties would arise under this Bill. Apparently, if the Government had their way, they were to delegate any powers they might think proper, and all the House was to be allowed to do was at some subsequent period—perhaps months afterwards—to move a Vote of Censure, and the result would depend solely on whether the opponents of the excessive delegation could secure a majority. The Prime Minister had dealt with the Amendment as if it merely raised the question of a flaw in the delegation. But other questions than those relating to mere flaws were likely to arise, and no doubt the Mover of the Amendment had largely in his mind the question of what it was right to delegate. As to the difficulty suggested as likely to arise from the death of a Lord Lieutenant, surely that could be overcome by the insertion of words continuing existing powers until Parliament had an opportunity of deciding. And, finally, in regard to cases of public emergency, it was difficult to see how they could be provided against, especially in the event of a conflict of opinion between the subordinate Legislature and the Imperial Parliament. This Amendment exposed

the dangers likely to arise from the passing of the Bill.

Question put, and negatived.

MR. HANBURY (Preston) rose to move—

In page 3, line 33, at end, to add,—“Provided always that the Lords Lieutenant of counties shall be appointed by the Lord Lieutenant of Ireland as representing Her Majesty.”

The Lord Lieutenant of a county held an essentially and entirely military office. He was the head of the reserved forces in the county; his position, indeed, was that of General of the district, reporting to the War Office, and recognising no other authority. Therefore, the Lord Lieutenant of a county was in a wholly and entirely different position from any other Executive officer. That being the case, he should have supposed that the Lord Lieutenant of a county, if there was no mention of him in the Bill, would have been appointed directly by the Secretary of State in England, or perhaps by the Secretary for War. But he understood the Chief Secretary to say the other day, in answer to a question put by him, that the Lords Lieutenant of counties would be appointed by the Lord Lieutenant, subject to instructions given by Her Majesty. He had three objections to raise to that mode of appointment. In the first place, he was not at all clear as to what “subject to instructions given by Her Majesty” might mean. That phrase was not to be found in the Bill; but, so far as he could gather from the Chief Secretary, it seemed to mean that the Lord Lieutenant, when he first went to Ireland, would have instructions given him by the Home Secretary. Those instructions were not, he understood, to be given to the Lord Lieutenant from time to time, but were general instructions given to the Lord Lieutenant when he first entered into Office. But it would be utterly impossible to give to the Lord Lieutenant general instructions beforehand as to the men whom he should appoint to the various offices; and, therefore, the Lord Lieutenant must clearly have instructions given to him from time to time. Then, again, these instructions were to be given by the Home Secretary. But the office of Lords Lieutenant of counties was a purely military office, with which the Home Secretary at present had nothing to do. There was a further

*Mr. Tomlinson*

difficulty. If he were correct in interpreting the words “subject to instructions given by Her Majesty,” the Lord Lieutenant would make these appointments on his own initiative, because he could not have instructions given to him beforehand. The result would be that the Lord Lieutenant would make appointments pleasing to the Executive of the Irish Government. But, as all military matters were taken out of the hands of the Irish Government, why should they enable the Lord Lieutenant to act on the advice of his Irish advisers in an essentially military matter? There was another reason why the Lord Lieutenant would be almost bound to consult the Irish Executive. In England, and he supposed in Ireland, the Lord Lieutenant of a county had a double capacity. He was a military officer reporting to the Secretary for War, and he was *Custos Rotulorum*, a purely civil office under the Home Secretary. That would happen in Ireland. As a military officer the Lord Lieutenant would be under the War Office, and as *Custos Rotulorum* he would be under the Lord Lieutenant. It would clearly be impossible to have two officers of State, for they might disagree, and if the offices were amalgamated the appointments must be put in the hands of either an Imperial Secretary of State or the Irish Executive. It was quite clear that the office was, and would always remain, a purely military office; and, that being so, he desired by the Amendment, which he begged to move, to secure that the appointment would continue to be made by the Imperial Government.

Amendment proposed,

In page 3, line 33, at end, add,—“Provided always that the Lords Lieutenant of counties shall be appointed by the Lord Lieutenant of Ireland as representing Her Majesty.”—(*Mr. Hanbury*.)

Question proposed, “That those words be there added.”

MR. SEXTON (Kerry, N.) said, that the hon. Member in the opening of his speech had stated that the Lords Lieutenant of counties in Ireland were essentially and entirely military officers, and at the end of his speech he distinctly showed that their functions were partly civil and partly military.

MR. HANBURY : I said that, as Custos Rotulorum, they were civil officers.

MR. SEXTON said that, therefore, the Amendment of the hon. Member could not be considered as if the functions of the Lord Lieutenant were purely and solely military. The hon. Member had spoken, in tones almost of horror, of the probability that the Lord Lieutenant of Ireland might choose the Lords Lieutenant of counties upon the advice of Ministers responsible to the people of Ireland. He should suppose that if such a thing were to happen it would be no great calamity. If the office were a purely military one, it would stand upon a different footing. But after the very lucid speech delivered the other day by the Secretary of State upon the question of the use of a military force in Ireland, he should imagine that no difficulty would arise, even if the Lords Lieutenant of counties were appointed by the Lord Lieutenant. The Home Secretary made it clear in that speech that when the question arises for the use of a military force, the power to call them out will rest on the Local Authorities ; and the question whether the force would be used or not would, he presumed, be one for the Secretary of State for War, acting on the advice of the Military Authorities. It was perfectly true that the functions attaching to the office of Lord Lieutenant were both military and civil ; but while the military functions attached to the office—which was the sole justification for this Amendment—were functions obsolete and unreal, his civil functions were very real and important to the welfare of the Irish people. The Lord Lieutenant of each county was Custos Rotulorum for the county. He might preside over meetings of local Magistrates—a function which was not only purely civil, but, to some extent, in opposition to military functions. The Lord Lieutenant of a county in Ireland, like the Lord Lieutenant of a county in England, advises the appointment of Justices of the Peace ; and not only does he advise them, but at the present time he practically controls them. [*Nationalist cheers.*] The House was familiar with the repeated and strenuous efforts made by Members in different parts of the House to accelerate the pace of the Lord Chancellor in dealing with

appointments to the Commission of the Peace. That House during the present Session had found it necessary to pass a Resolution declaring in effect that the Lord Chancellor ought not to be, or need not be, controlled in the appointment of Justices of the Peace by the advice of the Lords Lieutenant. Some effect—not much—had followed. They in Ireland, who since the opening of the present Parliament had done all in their power with a view to having something done to popularise the Petty Sessions Bench by appointing persons to the Commission of the Peace who would have the confidence of the country, had found that after the lapse of a year or more a miserable and paltry addition of not quite 100 had been made to a Bench where there were already some 4,000 or 5,000 landlords and others—principally Tories. Why did he bring this matter before the House, and why was it relevant ? Because it showed that even the present Lord Chancellor, who was an official disposed to do what he could, found himself so hampered, controlled, and overpowered by this jurisdiction, and found himself unable to act fully up to the Resolution which had been passed. Therefore, he asserted that whilst the military functions of the Lord Lieutenant were obsolete, his civil functions, especially in regard to controlling appointments to the Commission of the Peace, were, at any rate in Ireland, a very real and important power. If the Amendment of the hon. Gentleman was accepted it was the Home Secretary, or some such officer, who would appoint the official who would control the appointments to the Commission of the Peace. Was that autonomy ? Was that Home Rule ? Was there anything more local, or was there anything which could be more fittingly controlled by a Government responsible to the people of Ireland, than the appointment of persons who, upon the local Benches, were to administer local law ? But the proposal was that the persons who still control this matter were to be appointed by the Home Secretary. So far as the office of Lord Lieutenant of a county could be held to be a military office, he had no objection that the functions should be exercised under Imperial control. But what about the civil functions ? If this officer was still to have those

functions attached to his office they could not assent to the proposition that he should be appointed under Imperial authority. If, however, they agreed that he was to be appointed by the Home Secretary, then it would be necessary that the civil functions should be separate from his office, or that they would be assured that the Irish Parliament might pass an Act whereby the office of Custos Rotulorum might be an office separate from the Lord Chancellor of the county, and whereby the Lord Chancellor might act without advice in appointments to the Commission of the Peace, and that if he was to take any advice it should be the advice of persons other than those responsible to the Imperial Government.

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.): There is really no substantial difference between the hon. Member for Preston and the Government in this matter; and I think my hon. Friend who has just sat down has rather argued the question under a misapprehension as to the different functions discharged by Lieutenants of counties. My hon. Friend has argued as if the civil and military functions were necessarily combined in the same person. That is not so. Although the ordinary course is that the two functions are discharged by the same person, there are, I am informed, cases in which one person is the Lieutenant of the county and another the Custos Rotulorum. They are two separate offices, created by separate instruments, and each having distinct duties to perform in the county. The hon. Member for Kerry (Mr. Sexton) is right in saying that the military functions of the Lieutenants of counties would be under the direction of the Imperial Executive, and it is clearly so provided in the Bill. The hon. Member for Preston seems to doubt that. If he will look to the 3rd subsection of Clause 3, he will see that it reserves to the cognisance of the Imperial Government all matters relating to the Army, Navy, Militia, Volunteers, and other Military Forces. As to the question of the appointments of the Lieutenants of counties, I should say that they would be made by the Secretary of State for War, probably on his own Executive responsibility. If upon the advice of the Irish Government he should

desire to invest in the same person the character of Custos Rotulorum, there is no reason why he should not do so; and if, on the other hand, there is a desire that different persons should be appointed, there is no reason why that should not be done. Again, the hon. Member for Preston seems to think that the instructions to the Lord Lieutenant from the Executive Government must be given once for all. That is not so. They will be given as the necessity for them arises. If, for instance, a question arose as to the appointment of a person to fulfil the military character of Lieutenant of a county, the Lord Lieutenant would be advised by the Executive officer in charge of military affairs.

MR. MACARTNEY (Antrim, S.) said, he should like to point out, in reference to what had fallen from the hon. and learned Gentleman, that it was not the case that in Ireland the offices held by the Lords Lieutenant of counties were divided, for there the Lords Lieutenant of counties, without an exception, also held the office of Custos Rotulorum. He understood that what the Attorney General said was that the Minister for War should appoint the Lord Lieutenant so far as his military duties were concerned; but who was the other Minister who was to recommend appointments so far as concerned the civil duties of a Lord Lieutenant of a county? The suggestion was that he should be appointed on the advice of an Irish Ministry. If the two duties were to be made separate, then the Lord Lieutenant would be appointed by the intervention of two Ministers; and, with great respect for the Attorney General, he might say that he had never heard of a case in Ireland where the office of Custos Rotulorum was separated from the other duties of the Lord Lieutenant. He could quite understand the difficulty the Government was in with reference to the filling up of such offices. If Home Rule should ever be established in Ireland, there would be some difficulty in finding gentlemen to discharge the duties of that important office. In future, either the Minister for War or the Irish Cabinet would have the appointment of Lords Lieutenant; but they would have to find them in some other strata than at present. He could quite understand what the selections would be like that would meet with

*Mr. Sexton*



the approval of the butchers and bakers and candlestick makers who were to constitute the majority of the two Houses of Parliament, and the fit and proper persons for the office of Lord Lieutenant of a county would no longer be found in Ireland.

MR. J. CHAMBERLAIN (Birmingham, W.): I rise to ask a question. I understand my hon. and learned Friend the Attorney General to say that the person who fulfils the military functions of the Lord Lieutenant of a county will in future be appointed in Ireland on the advice of the Imperial Government, but that the person who fulfils the function of Custos Rotulorum will be appointed in future on the advice of the Irish Government. Supposing that to be the case, it certainly seems to me to meet the claim of the hon. Member for Preston. Then I ask myself where in this Bill is it provided that the person who fulfils the military functions of the Lord Lieutenant of the county shall be appointed on the advice of the Imperial Government? My hon. and learned Friend says it is provided for by Sub-section 3 of Clause 3, which excludes from the purview of the Irish Parliament legislation connected with the Navy, Army, Militia, Volunteers, and other military matters. Then the question I want to ask my hon. and learned Friend is this—Does he say that with regard to every matter which is excluded from the purview of the Irish Legislature by Clauses 3 and 4, and as to which they are prohibited from legislating, that the Irish Executive is equally prohibited from advising? Is that the position? Does my hon. and learned Friend say that with regard to all these matters it will be illegal for the Irish Executive to advise or assist the Lord Lieutenant? If not, then his answer is no answer at all. We want to know whether Executive Acts are included in the provisions which deal with Legislative Acts?—whether, when you say that the Irish Parliament shall not legislate, do you also say that the Irish Executive shall not advise? Unless my hon. and learned Friend goes so far as to say that the Irish Executive will not have the power to advise the Lord Lieutenant upon any matter contained in Clauses 3 and 4 he has given no answer at all, and the Government will not have carried out what was stated to be their intention

—namely, to preclude the Irish Executive from advising the Lord Lieutenant as to the appointment of persons who fulfil military functions.

MR. T. M. HEALY (Louth, N.) said, the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had laid down the strictest doctrine that he had ever heard. He had said that the Irish Government was to be prohibited from advising, and that it was to be made illegal if they did so.

MR. J. CHAMBERLAIN: I beg the hon. Gentleman's pardon. I did not say anything of the kind. I asked my hon. and learned Friend the Attorney General whether if, as he had stated, the Amendment was met by Sub-section 3 of Clause 3, the Irish Executive would not have the right of advice in all the matters contained in Clauses 3 and 4?

MR. T. M. HEALY said, that the right of advice was one thing, and the right of accepting or rejecting that advice was another thing; and what the right hon. Gentleman complained of was that it was not made illegal for the Irish Government to advise in these matters. What he understood the Attorney General to say was this—that the Lord Lieutenant would act upon the advice of the Imperial Government, and not on the advice of the Irish Government; but if all Birmingham was massed together it could not prevent the Irish Government, no matter what mean persons they might be in the royal estimation of the right hon. Gentleman the Member for West Birmingham, from tendering advice, and he presumed they all knew that there would be some anxiety on the part of the two Governments to run on the same lines. It did not follow that the advice would be taken at all. They might offer advice to the French or Chinese Government, or tender good advice to the Birmingham Town Council or the Warwickshire County Council; but it did not follow that the advice would be taken. There was no obligation on the part of the Imperial Government to accept the advice of the Irish Government. As he understood the view presented by the Attorney General, the Amendment was entirely out of Order, because it was already provided for in Clause 3. The hon. Member for Preston laid down the doctrine that this was a military office, and that, therefore, being a military office, it ought to

he excluded from the control of the Irish Government. Why did the hon. Member not move an Amendment that drummer boys, or quartermaster sergeants, or corporals, or gentlemen connected with the Yeomanry or the Navy should not be appointed by the Irish Government? So far as the military functions of a Lord Lieutenant of a county were concerned, they were an anachronism. The Lord Lieutenant of the county which he represented was Lord Massereene. Well, he should like to get a sketch of Lord Massereene to discover how he spent his time; and he believed if they found out about Lord Massereene they would be far from consulting him in connection with any military function, although he believed he once held an appointment in the Antrim Militia. What the Opposition wanted was the control of the Magistrates. It was in the Lord Lieutenant's function of *Custos Rotulorum* that they wanted to attack him; and the hon. Member for Antrim, with his fine aristocratic qualities, like all the gentlemen who came over to Ireland a few years ago, said that under the Irish Parliament they would have to take these men out of a new strata. They all knew that that was the object of the Bill. The object of the Bill was, as he understood, to give to the Irish people as a whole the control of their own affairs, and to give the landlord such control as their numbers entitled them to, and no more.

[At the conclusion of the hon. Gentleman's speech there appeared to be some disorder in the Strangers' Gallery.]

\*MR. SPEAKER: Serjeant, will you see who was clapping his hands, and exclude him from the House as a stranger?

MR. A. J. BALFOUR: The hon. and learned Member who has just sat down gives us a very fair idea of the amount of sweetness and light that can be introduced into our Debates on this Bill, and I cannot honestly say that the loss the House has sustained from the long silence of Nationalist Members has been so great as at one time may have been supposed. I do not think there is any great divergence as to the broad principles upon which we ought to proceed. It is admitted, in the first place, that the Lord Lieutenant and *Custos Rotulorum* are two offices which are almost invariably

associated in one individual; it is admitted he has a double function—a military and a civil function. If the view of gentlemen who are going to control the new Irish Government in the future is that they should return to the old system under which local justice on a large scale was administered by an unpaid Magistracy, appointed, as they are to be appointed, chiefly from one political Party, then the evils which Irish reformers had felt to be incidental to that system will probably re-appear in a new and aggravated form; and you will return to an ascendancy of a new order of men, and under conditions far more tyrannical than the form of magisterial ascendancy which was endeavoured to be put an end to by paid Magistrates. I will assume that you can distinguish between the Lord Lieutenant in his civil capacity and the Lord Lieutenant in his military capacity, and I will assume—though the case is doubtful—that it is the Lord Lieutenant in his civil capacity—or, I would rather say, the *Custos Rotulorum*—who recommends the Magistrates, and I will proceed to consider what you are going to do with the Lord Lieutenant in his military capacity. The learned Attorney General has laid down the proposition that the Lord Lieutenant of Ireland must never act upon the advice of his Irish Ministers in any of those cases which are excepted from their jurisdiction by Clause 3 and Clause 4 in this Bill. I hope that is the intention of the Government, but I see nothing whatever in this Bill to make that intention operative or effective. There is an Amendment lower down on the Paper standing in the name of the noble Lord the Member for Rochester (Viscount Crauborne) which puts in explicit language what I understand to be the implicit theory of the Government. He proposes to lay down that the Lord Lieutenant shall not do any act upon the advice of the Executive Committee until he has received Her Majesty's instructions in respect of any matters upon which the Irish Legislature are disabled from legislating under Sections 3 and 4. If that Amendment is accepted it appears to me the pious opinion of the Attorney General would be effectually carried out; but as the Bill stands it is only a pious opinion, and there is nothing to prevent the Lord Lieutenant from taking the

*Mr. T. M. Healy*

advice of his Executive Committee, which nobody can prevent them from tendering, even though it relates to matters with which the Irish Government are not, by this Bill, allowed to meddle. I hope the Government will accept words to make the Bill square with the professions of the Attorney General. My hon. Friend who moved the Amendment has thought it right—and I agree with him—even if the proposition advanced by my hon. Friend were accepted, to mention explicitly the Lord Lieutenant. I think he has good reason to do so, because the functions of Lord Lieutenant and Custos Rotulorum are partly military, and therefore reserved to the Imperial Government, and partly civil, and therefore reserved to the Irish Executive. Unless you point out in the Bill that you mean to reserve the Lord Lieutenant as military officer to the Imperial Government great difficulty will be found in deciding between his duties. When these offices of Lord Lieutenant and Custos Rotulorum are always held by the same person, if you wish to introduce a new system in which the duties should be cut in half, one to be labelled “military” and the other “civil,” then I say you ought to have words in your Bill to indicate your intention. I hope the Government will carry out what they and we agree should be our policy, and if they do I do not see why we should not bring the discussion to a close satisfactory to every Party.

\*MR. DANE (Fermanagh, N.) said, that, as had been stated by the hon. Member who moved this Amendment, these two offices were quite distinct. The Lieutenant of a county was more or less a military officer; the Custos Rotulorum in Ireland up to 1877 was the custodian of the Rolls of that Court. The office of Custos Rotulorum was a very ancient office, created so far back as the time of Henry VIII., and in the 1st of William and Mary there was a statutory enactment providing that the office of Custos Rotulorum should be created under the Sign Manual of the Sovereign, and prescribing that the duty of that office should be to appoint a fit and proper person as the Clerk of the Peace of the particular county, to be the custodian of the deeds enrolled in that county—in other words, the custodian of the Rolls of the particular

county; and although it might be that was still the practice in England, he was not aware that it was the practice in Ireland. He was inclined to think that in Ireland, under the provisions of an Act passed by that House in 1877, the position, or at least the duties, of Custos Rotulorum were entirely taken away, because under that Act, which was entitled “The County Court Officers Act, 1877,” the duties which were formerly vested in the Custos Rotulorum of counties to appoint Clerks of the Peace and to carry out the duties appertaining to their offices were taken from the Custos Rotulorum and vested in the Government. Since 1877 the office of Clerk of the Peace had no longer belonged as of right to the Lieutenant of a county as Custos Rotulorum, but was now vested in the Government of the day, and the appointment to that office was now exercised by the Government under the hand of the Lord Lieutenant. He found that by 1 & 2 William IV., c. 17, the power of appointing Custodes Rotulorum in Ireland ceased to be under the Sign Manual of the Sovereign, and was delegated to the then Lord Lieutenant of the day. At all events, it was clear that up to 1877 the Lord Lieutenant in Ireland had the power by Letters Patent to appoint the Custodes Rotulorum of the several counties in Ireland, but his contention was that the office, or, at any rate, if not the office, the duties and position, of Custos Rotulorum in Ireland ceased on the passing of the County Court Officers Act of 1877. The duties of a Lieutenant of a County in Ireland were entirely different to those of Custos Rotulorum. The Lieutenants of counties were appointed under Patent by the Lord Lieutenant or Governor General of Ireland, and their duties were of a military character. They nominated to all the appointments in the Militia Force, and they submitted to the Lord Chancellor the names of gentlemen fit and proper to be appointed to the Commission of the Peace. The Commission of the Peace, which was issued by the Lord Chancellor, was, under the old *régime*, lodged in the office of the Custos Rotulorum of the county, and was gazetted in the *Gazette* as having been so lodged. There was practically no longer any Custos Rotulorum. What existed was simply the Lieutenant

of the county appointed by the Lord Lieutenant of Ireland under the Patent of the Great Seal of Ireland. He thought it very desirable that the House should know what exactly would be the position of the Lieutenants of counties under this Bill. The Attorney General stated that these two offices might be filled by two different persons. That might be so in England, but in Ireland no one had ever known different persons to hold the offices of Lieutenant and Custos Rotulorum. They had always been held by the same person; therefore, it was very desirable they should know exactly how these offices would stand in future. It was a very important thing, having regard to the powers the Lieutenants of counties in Ireland had imposed on them, to know whether that power would be under the control of the Irish Executive acting on the advice of the Irish Privy Council, or whether those powers would be delegated from the Imperial Government to the Lieutenants of counties, who would, therefore, be answerable to that House for the appointments they made? If it should be thought desirable that the Lieutenants of counties should no longer have power to nominate Justices of the Peace, then some provision should be put in the Bill to that effect; but in the important office of Lieutenant of a county who had, as such, command of the local force and the nomination of the officers to the local Militia, it was essential they should know which Government was to have control of the Lieutenants in future. Were they to be under the control of the Imperial Government or of the War Department, or was the matter to be relegated to the Irish Lord Lieutenant acting upon the advice of his Irish Executive, the governing members of whose Privy Council would, no doubt, be some of the hon. Gentlemen below the Gangway, who had been so pronounced in their language as to what they would and would not do when this Bill became the law of the land? He should like to hear from the Treasury Bench how this matter was to be regulated. It would be some satisfaction to know that the Government who produced this Bill, which dealt so vitally with the interests of the loyal classes in Ireland, knew what it was they had been doing, and that when they proposed to confide

to the Irish Executive and the Irish Lord Lieutenant the control and government of this matter the people of England and Scotland should, at any rate, know what it was it was intended should be left in the hands of the future Irish Parliament.

MR. J. MORLEY: The hon. and learned Gentleman has asked me under what authority at this moment the Lieutenants of counties are chosen by the Lord Lieutenant. The answer to the hon. and learned Member is a perfectly clear and simple one. The Lieutenants of counties in Ireland are appointed by the Lord Lieutenant under a section of the Militia Act, 1882, which vests power in Her Majesty with reference to the appointment of the Lieutenants and Vice Lieutenants of counties, this power, subject to any direction from Her Majesty, to be exercised by the Lord Lieutenant of Ireland. As the right hon. Gentleman the Leader of the Opposition has said, there is no difference whatever of views between the gentlemen opposite, ourselves, and the gentlemen below the Gangway so far as the Lieutenant of a county is a military officer, or represents the persons controlling, to some extent, the military forces of the Crown. There is no contention in any part of the House that the nomination of that officer should be withdrawn from the Imperial control. We do not think that the words of the hon. Member for Preston are necessary, and the words themselves are not strictly accurate. For instance, these are not Lords Lieutenant of counties, but Lieutenants. However, as we are agreed—though we do not think the words are necessary—we are willing to accept the Amendment of the hon. Member for Preston, making the words correct by leaving out the word “Lords” before “Lieutenant.”

MR. HANBURY said, he would at once agree to the omission of the word.

The word “Lords” omitted.

\*MR. BLAKE (Longford, S.) thought that not a single person dissented from the view that, as far as the civil functions of persons who would be Lieutenants were concerned, those officers ought to be appointed on the advice of the Irish Executive; and nobody dissented from the view that in their military capacity the Irish Executive should have nothing whatever to do with the appointment. But there was a difference of opinion as



to what the existing state of things was. They heard some hon. Gentlemen say that the Lord Lieutenant *qua* Lord Lieutenant had certain civil powers, and it was very important that they should not stereotype the powers of the Lord Lieutenant, if they comprised civil powers; in this Act while they were recognising the fact that the appointment of that personage as a military officer ought to be with the Imperial Executive. He trusted it was perfectly understood that the view upon which the Amendment was made was that the offices were now actually separate, or, if not separate, that no introduction of these words indicated that it should not be within the competence of the Irish Legislature to set up a separate officer for the discharge of all civil functions which might be found to be in the hands of the Lord Lieutenant at this day. They could not interfere with his military functions; but it must be understood that the Irish Legislature had full right to pass an Act which should deal with all those civil functions which were, in one way or another, exercised by the Lord Lieutenant, had full right to separate them and provide, if necessary, for their discharge, an officer who should be appointed under the advice of the Irish Executive.

MAJOR DARWIN (Staffordshire, Lichfield) said, as this was originally his Amendment, he hoped he might be allowed to say a few words upon it. He had endeavoured on every single stage of the Bill to bring this question before the House, and only two days before the conclusion of the whole subject had he been able to get any answer from the Government. He spoke at some length a week ago, and no reply was vouchsafed to him. With regard to what the hon. Member for North Kerry had said about the duties of a Lord Lieutenant being obsolete, he thought that was an entire mistake, because, under certain circumstances, these duties might become of very great importance. How it was possible to make it certain that the Lord Lieutenant, in appointing the Lord Lieutenant of a county, would act upon the advice of the Imperial and not the Irish Executive he could not conceive. It was a good thing to have this Amendment accepted, but it seemed to him by no means a certain safeguard that the Lord Lieutenant would not be in-

fluenced to a great extent by the Irish Executive. In the Amendment which he originally proposed he suggested that the Lords Lieutenant of counties should be in all cases appointed by the Secretary of State for War. That would have been a far better arrangement for carrying out the views of this Amendment.

Amendment, as amended, agreed to.

MR. T. H. BOLTON (St. Pancras, N.) moved the following Amendment:—Page 3, lines 37 and 38, leave out “or as may be directed by Irish Act.” This matter, he said, was, to a certain extent, discussed in Committee; but anyone who referred to the pages of the official *Parliamentary Debates* would see that the discussion was not a long discussion and was rather unsatisfactory, and it was in the hope that the Government might have possibly re-considered the matter, rather than with the view of having any lengthened discussion upon it, that he ventured to bring it before the House at this stage. The sub-section of the clause to which the Amendment referred provided—

“There shall be an Executive Committee of the Privy Council of Ireland to aid and advise in the government of Ireland, being of such numbers and comprising persons holding such offices under the Crown as Her Majesty may think fit, or as may be directed by Irish Act.”

The Amendment he was proposing was that the words, “or as may be directed by Irish Act,” might be omitted. He would remind the House that in the Home Rule Bill of 1886 there was no such provision as that which he was asking to have omitted. In the Bill of 1886 the words of the clause were—

“The Executive Government of Ireland shall continue vested in Her Majesty, and shall be carried on by the Lord Lieutenant on behalf of Her Majesty with the aid of such officers and such Council as to Her Majesty may from time to time seem fit.”

He did not find there was any such provision as that contained in the present Bill in any of those Colonial Constitutions which formed the subjects of Acts passed by this Parliament; therefore, there was no precedent, as far as the term “precedent” might apply, for this proposal of the Government. He considered that unless this Amendment were adopted there would be practical

inconvenience connected with the proposal of the Government. If a hard-and-fast rule were laid down by the Irish Legislature that the holders of particular offices should *ex officio* be Members of the Cabinet, that would largely limit the discretion of the Lord Lieutenant in selecting the fittest men to fill these offices. Men might be fitted to fill administrative offices, whilst at the same time it might be undesirable that they should be Members of the Cabinet. The course he suggested would give greater freedom to the Lord Lieutenant in selecting Members of his Government and greater elasticity in the Party arrangements which would be necessary to a responsible Government; therefore, for practical purposes, it would be much more convenient that this clause should be amended as he proposed. Why insert it at all? What good did it do? Whether the offices were selected by the Lord Lieutenant for Cabinet rank or fixed by the Irish Legislature, the Government as a whole, and every Member of it, must have the confidence of the Representative Body, and it was perfectly unnecessary to limit or put restrictions on the discretion of the Viceroy in selecting his Council. The Prime Minister a short time since made some observations on another Amendment which bore to a certain extent on this question. The right hon. Gentleman doubted whether it was desirable to transfer Executive duties to Parliament. He (Mr. Bolton) could not imagine higher Executive functions than the chief Executive Authority of a country selecting the Ministers to carry out Executive duties, and he understood from what the right hon. Gentleman said that he was not favourable to the transfer of Executive powers to a representative Assembly. That argument bore upon the present subject, because the proposal in the Bill was that the Queen should not have full power to select her advisers—having the confidence of the Irish Legislature, of course—but that the Legislature itself should limit that discretionary control by fixing the particular offices which should confer Cabinet rank. Another serious objection was that as the sub-section at present stood it was uncertain what it meant. In the sub-section the words were—

*Mr. T. H. Bolton*

“Comprising persons holding such offices under the Crown as Her Majesty may think fit, or as may be directed by Irish Act.”

Which of these two alternatives was it to be? The Solicitor General read it as—

“Holding such offices under the Crown as Her Majesty may think fit until the Irish Legislature shall otherwise enact.”

That was the reading which the Solicitor General put before the House when the subject was considered in Committee on July 4. He had the greatest possible respect for the Solicitor General and for his opinion, but he must say he did not follow him in his reading of the sub-section. He supposed the English language had some definite meaning even in Acts of Parliament. Here the words were clear and precise; and if they were to give the grammatical meaning to those words, the meaning was that these duties should be discharged by officers appointed by Her Majesty or under Irish Act. If the Solicitor General intended that the appointment should rest with Her Majesty until the Irish Legislature should pass an Act to take this matter from the entire control of Her Majesty and provide for it in another way, then words should be used to carry that intention out. At present it was uncertain; and as the words seemed to him to be useless, unnecessary, and objectionable, he ventured to move that they be omitted.

Amendment proposed,

In page 3, lines 37 and 38, to leave out the words “or as may be directed by Irish Act.”—*(Mr. T. H. Bolton.)*

Question proposed, “That the words proposed to be left out stand part of the Bill.”

MR. W. E. GLADSTONE, who was indistinctly heard, said: I am very sorry the hon. Member has thought it necessary to take the course he has. This question was decided in July last, and I am bound to say that the hon. Member has done nothing on the present occasion to render the views he entertains more satisfactory. If the Irish Privy Council were under the control of the Executive, as that of England is, there would be no necessity for a clause of this kind, but some provision has to be made, or else the Lord Lieutenant might, on occasions, be without advisers. Consequently,

Her Majesty intervenes in her Imperial capacity, and supplies the deficiency. This is a provision that grows out of the necessity of the case, and it is intended as a temporary provision ; but the hon. Member for North St. Pancras (Mr. T. H. Bolton) desires to make it permanent. The doctrine of the hon. Member is that, though a responsible Irish Government is to be recognised, yet the Irish Legislature is to be deprived of the powers necessary for responsible Government. Is that a rational proposition ? The hon. Gentleman has, in support of his proposition, advanced no argument except that the Irish Legislature might pass an absurd Act. That is the charitable supposition of the hon. Member, and that is the policy which the hon. Member has thought fit to pursue all along in regard to this Bill in his irresponsible capacity, and this comes from an hon. Member who, it was understood, was returned to Parliament to support the Bill. That is the position the hon. Gentleman assumes in his irresponsible capacity, which I presume will last for a certain time. It is impossible for the House to know what constitution of the Irish Executive Committee will be found desirable ; but we may assume that some grains of common sense, which abound so much in the mind of the hon. Gentleman, may prevail even in the minds of the Members of the Irish Legislature, and we may hope that his perception and his charity—if it can—will be enlarged. The business, functions, and offices of the Executive Committee are purely Irish affairs, and ought to be placed within the competency of the Irish Legislature. If the Irish Legislature passes absurd Bills it will itself in the first instance suffer, and it will have the same means for mending its way as is possessed by other Legislative Bodies. The British Parliament has made shameful mistakes in the past, and it must be remembered that in Ireland, as in England, we can rely upon the people to correct the mistakes of the Legislature. The Amendment completely traverses the whole intention of the Bill, and we cannot be parties to reversing the decision already arrived at.

MR. A. J. BALFOUR : I fail, Sir, entirely to understand the line which the right hon. Gentleman has thought proper to take. He has attacked, I will not

say with unusual violence—because he not infrequently shows a good deal of violence in his attacks—but he has attacked with great violence the hon. Member opposite for bringing forward a subject which was undoubtedly discussed on the Committee stage. This is, however, exactly one of the topics on which discussion ought to be repeated, because it is one of those on which the Government have never attempted a rational reply, on which they have not even now succeeded in finding a rational reply, and on which we might have had some reason to suppose that the consideration of the plain meaning of the English language would have induced the Government to attach some weight to the arguments which have been advanced. The solitary answer given by the Prime Minister is that this Amendment is very improper, because the Irish Government, if they are to be illumined by any rays of common sense, must be thought sufficiently endowed with that valuable quality to be able to make some regulation as regards the holders of office. The right hon. Gentleman is angry with anyone who supposes that the Irish Legislature could make mistakes in this matter, but he has been unable to finish his own speech without telling us that the British Government has made infamous mistakes.

MR. W. E. GLADSTONE : I did not say “infamous.” That is a favourite word of the right hon. Gentleman.

MR. A. J. BALFOUR : I used the word “infamous,” but I learn from my friends near me that the exact word employed by the right hon. Gentleman was “shameful.” I give the right hon. Gentleman any benefit he may derive from that substitution of the Anglo-Saxon for the Latin. The right hon. Gentleman thinks it absolutely absurd for us to suggest for a moment that the Irish Legislature would be guilty of folly.

MR. W. E. GLADSTONE : I suggested it myself.

MR. A. J. BALFOUR : Why does the right hon. Gentleman allow a licence to himself which he will not allow to the hon. Gentleman the Member for North St. Pancras ? The fact remains that we are not allowed to contemplate these grave errors of judgment by the new Irish Legislature. I do not wish again

to raise the question of policy involved in the sub-section. For my own part, I shall be prepared to accept—not to agree with, but to accept—more or less the decision the House arrived at in Committee. What we say is that the words of the Government do not carry out their own view. The intentions of the Government, as expressed on the Committee stage, and as repeated by the right hon. Gentleman to-day, are these—that after the Bill is passed, and before the new Constitution begins to work, there must evidently be an interval in which there will not be a Committee of the Privy Council to advise the Lord Lieutenant, and they would provide for that interval by enabling the Crown in the first instance to appoint the officers who are to constitute the new Irish Cabinet; but that when the Irish Government is fully equipped the Irish Legislature should name the officers which are to carry Cabinet rank. That may be a good or a bad policy, but it is not the policy of the Bill. The policy of the Bill is that there are to be two co-ordinate powers—Her Majesty and the Irish Legislature—and that each is to have an equal finger in the pie in settling the constitution of the Irish Cabinet. That is an absurd position. We have pointed out before, and point out again, that according to no known interpretation of the English language does the word “or” mean “until.” If the Government mean “until” why do they not say so? During the seven weeks that have elapsed since this matter was discussed before surely the Government could have studied the grammar of their own Bill and seen what must be the inevitable conclusion to be drawn from the words they have adopted, and it is not too much for us to ask them on this the proper stage to put the Bill in a shape in which it will carry out, at all events, their own intentions. Why the right hon. Gentleman should think this a favourable opportunity for attacking the hon. Member for St. Pancras simply because he has endeavoured to make sense of the right hon. Gentleman’s own measure really passes my comprehension.

SIR H. JAMES (Bury, Lancashire): I should like to say that I think the Prime Minister was very ungrateful to the hon. Member for North St. Pancras. This Amendment will have the effect, it

*Mr. A. J. Balfour*

may be, of saving a great deal of confusion and conflict again hereafter. I cannot conceive that the Government can do other than listen to arguments to show how that condition of things can be avoided. The Prime Minister said, as I understand, that the Member for North St. Pancras should not have brought forward this Amendment, because he had been returned to Parliament to support this Bill. Well, I do not know what pledges hon. Members could have given to support this Bill. I know there were two Members who declined to support the Bill; one of them was the present Secretary of State for Scotland, who, when asked whether he would pledge himself to support the Bill that was to be brought in by the Prime Minister for the better government of Ireland, declined to do so until he had seen the Bill, and he said it would be very unreasonable for anybody to pledge himself until he knew its contents. The other Member who refused to pledge himself was the hon. Member for North St. Pancras, who refused altogether to give any adhesion to any Home Rule Bill, and who came into Parliament free in respect to that matter. I am sure if the Prime Minister had known the position the hon. Member occupied he would not have wished to introduce into this discussion such an assertion respecting the hon. Member. May I point out, in addition to what has fallen from the Leader of the Opposition, that I have never been able to understand the construction put upon this clause by the Solicitor General. We pointed out before that you must look at the words not only as they appear here, but at other words that are now introduced into this sub-section, so that after the words “as Her Majesty may think fit” you must introduce the words “from time to time,” and so the section will read—that these officers are to be nominated—

“As Her Majesty may from time to time think fit, or as may be directed by Irish Act.”

I am sure the Solicitor General has good reason for what he says, and I do not wish now to come into conflict with him; but I do say that any ordinary human being reading these words “as Her Majesty may from time to time think fit, or as may be directed by Irish Act” could never put that construction



upon them which the hon. and learned Gentleman and the Prime Minister have put upon them. I have no doubt of the intentions of the Government, but they are not expressed in the Bill, and you cannot ask the Judges to get rid of what would be nonsensical. Judges cannot remedy the error on the part of the House by making what is nonsense into sense. The result of the clause as it stands will be alternate nominations to these offices—one by the advisers of the Crown and another by the Legislature. This will give rise to immense conflict. It is this friction and conflict that we anticipate. With their eyes open the Government are adding this to the others. The Executive Government is a Government to advise the Crown; the Crown is responsible, according to the Constitution, for the nomination of persons whose duty it is to advise the Crown, and it should not be left in the hands of the Legislature to say who should be the advisers of the Crown. That selection should be made by the Crown under the Constitutional rule of seeking those advisers from the majority of the Irish Legislature. This extraordinary departure from the Bill of 1886, which is said to have been introduced for a temporary purpose only, will create a permanent change. For all time you are going to say the Crown shall be fettered by the choice of individuals, and they make the designation of office equivalent to the choice of individuals. If you limit the elasticity of the choice of individuals, and go on and say that the Irish Legislature shall choose the office and the Crown shall not, then again comes the limitation upon the Crown. I say is it an exceptional thing. We have no such power. We have never said that holders of certain offices must be advisers of the Crown. Under the circumstances, it is wrong for the hon. Member for North St. Pancras to ask the Government to do something to prevent the confusion that will inevitably arise if this Amendment is not accepted?

MR. SEXTON (Kerry, N.): Notwithstanding what the right hon. and learned Gentleman has said, I think it is somewhat surprising that the hon. Member for North St. Pancras should be the Member of this House to move this Amendment, having already moved it in Committee.

MR. T. H. BOLTON said, he did not move it in Committee.

MR. SEXTON: He supported it in Committee, and there is very little difference in the two. If the hon. Gentleman had not the originality to move it in Committee—

MR. T. H. BOLTON said, he had the Amendment on the Paper, but there was another Amendment dealing with the same point which had priority.

MR. SEXTON: The distinction upon a matter of fact has now been greatly reduced, because it appears he put the Amendment down in Committee, and now returns to it on Report. The hon. Member was returned to this House by the electors of North St. Pancras after a discussion of this question which lasted for several years; we discussed nothing else for several years; upon the basis that Ireland was to have a Legislature of her own and an Executive Government responsible to that Legislature—and I greatly mistake the Liberal electors of North St. Pancras if they did not intend, when they elected the hon. Gentleman, that the Executive Government responsible to the Irish Legislature was to be chosen by the will of the Irish Legislature as the Executive Governments for every colony and dominion of the Crown are chosen.

MR. T. H. BOLTON: I should be allowed to explain.

MR. SEXTON: After I have done.

\*MR. SPEAKER: The whole matter is rather a digression. It is not relevant to the matter before the House what the electors understood when they elected the hon. Gentleman.

MR. SEXTON: I presume one is entitled to comment on the action of a Member of this House from the point of view of those who elected him. [*Cries of "Order!"*] The Speaker's language has been carefully guarded, and I intend to obey the Speaker in a larger sense than even he imposes upon me, and I shall not pursue the question. The right hon. Gentleman the Member for Bury appears to me to have misapprehended the force of the clause. He says the Executive Committee in Ireland will be the Ministers of the Crown, and the Crown is responsible for their appointment, and that this clause proposes to fetter the choice of individuals by the Crown. I submit with every confidence this clause

does nothing of the kind. This clause only says what offices are to be held by persons who are to be the Executive Government of Ireland. Suppose even an Irish Act had been passed dictating what offices should be held by the persons who are to be the Government of Ireland even after the Act had been passed, the appointment of individuals that fill these offices will still be the act of the Crown. Therefore, there is nothing whatever in the clause limiting the choice of the Crown in the appointment of individuals.

SIR H. JAMES: Suppose the Irish Government passed an Act saying there should be only three officers, that would fetter the choice of the Crown, because there would be only three advisers.

MR. SEXTON: In the first place, the Crown could veto the Act. One cannot fail to observe in the course of these discussions how very frequently gentlemen, even right hon. and learned Gentlemen, ignore the powers and safeguards of the Act which it is not convenient for them to refer to, and fix themselves entirely on others. I am entitled to take all the powers of the Act into view, and to say that if the Irish Parliament did pass an Act as I think so unsuitable as one providing only three offices entitling persons to Cabinet rank in Ireland, the Imperial Government would be here; they would review the Act, and if it fettered the Crown, veto it, and thereby urge the Irish Legislature to make a more fitting enactment. To return to the main argument of the right hon. Gentleman, that this clause fetters the discretion of the Crown in the choice of individuals, again I submit with every confidence it does nothing of the kind, because the power contemplated is only to enable the Irish Legislature to pass an Act to say what offices shall be Cabinet offices. And even if the Act had become law the function of appointing individuals to fill these offices would still be the function of the Crown. Apart from legal formularism, what is practically the course of the Constitution in regard to the appointment of the Cabinet in England and in every Colony and Dominion of the Crown? You say the appointment is with the Crown. How is it in practice? Why, the Crown has no choice in the matter either here or anywhere else. The people elect the Chamber and dictate who are to be the

Government. That excites merriment amongst the minor politicians of the Birmingham school. But the people elect the majority of this House, and the Crown—put it in what form you please—the Crown has to appoint the Ministers whom the majority will accept. What is the rule in England and in every Colony and Dominion and Dependency of the British Empire will also be the rule in Ireland, and that is the substance of the matter. The right and the power of the Irish Legislature to say what persons shall be the Ministers of the Crown in Ireland is their inevitable right according to Government usage. At the same time, this clause does not in form withdraw from the Crown the right of nominating individuals, yet in substance, whatever the language of the clause, the power in operation will be the same as the power in Canada, Australia, the Cape, or anywhere else. As to the grammar of this clause, of which a great deal has been said, it is suggested that as the clause is drawn it simply gives an alternative between Her Majesty and the Irish Act, and that they may come into conflict with each other. The one reply is that Her Majesty may veto any Irish Act, and that puts an end to any chance of conflict. If you are to have two powers one must necessarily act first, and the other comes second. For some time after the passing of the Home Rule Act an Irish Act cannot be passed. There will be a Government in Ireland for some months before there is a Legislature; and after there is a Legislature some time will elapse—years may elapse—before an Act can be passed; therefore, it is evident that within that period Her Majesty, and Her Majesty alone, can exercise the power designated in this clause, because no other authority will be in existence for the purpose, or, at any rate, can make its will effective. Therefore, the power of Her Majesty stands first, and that disposes of the argument that this is simply an alternative. On the contrary, it gives Her Majesty priority. Then comes the Irish Act, and it is evident that the intention, whatever astute grammarians may say, is that there is a period within which Her Majesty will act first, and then comes the Irish Act. I submit that this is not the simple alternative, but the provision of two powers, one to act within the period when there

*Mr. Sexton*

is no second power, and the second acts after the legislative function comes into existence, and it cannot be contended that the power of Her Majesty comes after the passing of the Irish Act. The power will remain after the passing of the Irish Act, because Her Majesty will have to assent to that Act. The supposition put forward by the right hon. and learned Gentleman (Sir H. James), that under the clause as it is drawn, and after Her Majesty has assented to the Irish Act giving Ireland the same powers as are exercised in every Colony of the Crown with regard to the Cabinet, Her Majesty would desire again to interfere with the operation of an Act to which the Royal Assent has been given—which is the argument of the grammarians in this matter—is a useless and somewhat irritating artifice. The language of the clause is as clear as need be, as clear as it usually is in an Act of Parliament, and much more clear than in many of the Acts with the framing of which the right hon. Gentleman the Member for Bury had a good deal to do.

MR. T. H. BOLTON: I would ask to be allowed to make a quotation from my election address.

\*MR. SPEAKER: Order, order! The hon. Member will not pursue that question. There is no necessity.

MR. BYRNE said, he thought it a great pity that a discussion should be necessary as to the true meaning of the clause. As far as he was concerned, he differed entirely from the last speaker, who, he thought, put a wrong construction on the words as they stood. The question was one of principle, and the powers were not alternative but collateral. That, to his mind, speaking as a lawyer, was quite clear. But to put the matter beyond doubt the words might be altered so as to read—

“And comprising persons holding such offices under the Crown in the first instance as Her Majesty may think fit, and afterwards as may be directed by Irish Act.”

If the Government would accept those words they would express what the Government had declared they meant, and what the hon. Member for North Kerry thought they meant. If those words were adopted they would then be able to divide on the question of principle, and not on the question of obscure English. He would move to insert those words.

\*MR. SPEAKER: The hon. Member cannot move those words here. They would come before the Amendment already before the House.

MR. BYRNE: I put them forward for the consideration of the Government.

MR. MACARTNEY (Antrim, S.) said, that whatever substance there might be in the Constitutional theory of the hon. Member for North Kerry it was not the principle on which the Prime Minister had based his opposition to the Amendment. The right hon. Gentleman had distinctly told them that the clause was drafted in this particular way in order to meet the peculiarities of the Irish Privy Council, and he had told them that in the previous discussion those peculiarities had been fully ventilated, and that the House had decided on them. He (Mr. Macartney) must demur most strongly to that presentation of the case. The Government, in opposing the Amendment, had said nothing at all about the peculiarities of the Irish Privy Council. There were no such peculiarities, and no Member of the Government had been able to point any out. Even supposing that the Irish Privy Council was a Body vicious in its character, and origin, and practice, that would be no ground for drafting a clause which was ridiculous and nonsensical, and which was without precedent. There were two plain courses, either of which the Government might have taken. They might have followed the precedent the House had set in regard to all other subordinate Constitutions—that was to say, they might have left the regulation of the Cabinet Offices in the Irish Legislature to the Crown, or they might have left it entirely to the Irish Legislature; but they had not taken either of those plain courses. They had taken a course most incongruous and inconvenient, and which threw upon the whole of this important section the most obvious criticism. The hon. Member for North Kerry had attempted to argue—as the Solicitor General had done previously—that there could be no possibility of conflict between Her Majesty's Representative in the exercise of the veto and the Irish Parliament. He (Mr. Macartney) could not agree with that. Supposing the Irish Legislature proposed, from motives of economy, to reduce the

number of Cabinet Offices to three—the Crown having previously appointed eight — and supposing the Crown thought that was not a competent number of advisers, would the hon. Member for Kerry be prepared to say that would not be not only a probable but a reasonable cause of friction between the Lord Lieutenant, as representing Her Majesty, and the Irish Parliament?

MR. SEXTON was understood to dissent.

MR. MACARTNEY: Putting aside motives of economy, supposing from motives which they might easily imagine to prevail in Ireland the Irish Government wanted to find a large number of offices of dignity, with fat salaries attached, for supporters who could not easily be left out—for there were many leaders of the Irish race, not only here, but in the United States, South America, and elsewhere—one of the first acts of the Legislature would be to promote a Bill, which would, of course, pass through both Houses without the slightest difficulty, to enlarge the offices which would give Cabinet rank. That would be the converse of the economical theory which had been urged. It might be Her Majesty's Government would say that in the interests of economy the Imperial Parliament through the Crown would have to enforce the veto. There, again, was a probable cause of friction. The clause as it stood was drawn in such a way that even from the Prime Minister's point of view it was objectionable, because it would create at the very commencement of the new Government in Ireland a situation in which friction might arise between the Irish Executive and the official who would represent the Crown in Ireland. On these grounds he thought the Amendment of the hon. Member for North St. Pancras a reasonable one. Either that ought to be accepted or the Prime Minister ought deliberately to say that they would not retain under the control of the Imperial authority any method of interfering with the suggestions and wishes of the Irish Parliament, and would allow that Parliament not only to nominate those who were to fill the offices of Cabinet rank, but to create the offices which were to carry Cabinet rank. That would be plain and distinct, and would wipe away a cause of friction. What was the cause of the

ambiguity in the clause? It could not rest on the peculiarity of the Irish Privy Council; therefore, it must in some way be a reservation to the Imperial power. It, however, was manifestly impotent.

MR. J. MORLEY said, he had listened very carefully to the criticisms passed upon the wording of the sub-section, and to the suggestions which had been made—by the hon. Member for Essex amongst others—for more clearly setting forth what they had declared to be the intentions of the Government in the sub-section. So far as the chief argument of the right hon. Gentleman the Member for Bury (Sir H. James) was concerned—namely, that there might be concurrent nominations under an Irish Act and by Her Majesty, it had been answered sufficiently by the hon. Member for North Kerry, who had pointed out that an Irish Act must first receive the assent of Her Majesty. He thought the argument was a good one, but he would not go into it further. There were three ways of fixing these offices: By Her Majesty acting on the advice of the Secretary of State; by the Irish Legislature; and, what would be the most probable course, by Her Majesty authorising the Lord Lieutenant, in the first instance, to do what was contemplated in the sub-section. The Government thought that this would be met by amending the clause as follows:—

“Comprising persons holding such offices under the Crown as Her Majesty, or, if so authorised, the Lord Lieutenant, may think fit, save as may be otherwise directed by Irish Act.”

When the proper time came, he would move that Amendment.

MR. BOUSFIELD (Hackney, N.) said, the course the Government had taken was, no doubt, strictly in accordance with the precedent that had been set by them, and which had been followed almost from day to day throughout the Sittings on the Bill, in their treatment of Amendments. An Amendment was moved. Then, first of all, the Prime Minister got up and jumped upon the Mover of it, treated him with contumely and scorn, dragged in a number of personalities that had nothing to do with the question, and said in the strongest terms that he objected to the Amendment, and would have nothing to do with it. Then after a time one Law

*Mr. Macartney*



Officer rose to bolster up the position, to the best of his ability—poor, unfortunate man, he hoped they pitied him! Another Law Officer followed, as a rule, to take part in the same uncongenial work—though that precedent had not been exactly followed to-day—and in the end the epidermis of the Government having been thoroughly penetrated by the arguments of the Opposition, they consented to do what from the first they refused to do. The hon. Member for St. Pancras had pointed out that there was an ambiguity in the words of the clause, and the Leader of the Opposition had referred to the drafting; but the Prime Minister and the hon. Member for North Kerry had brought in all sorts of Constitutional questions, and had treated the Amendment as raising the question of the Prerogative of the Crown, though that had nothing to do with the matter.

\*SIR C. RUSSELL said, the hon. Member had been but a short time in the House. If he had been more familiar with their proceedings he probably would not have made the observations they had just heard from him. While he (Sir C. Russell) admitted that some of the Amendments had been directed to improving the drafting of the Bill, he did not admit that any one Amendment that had been accepted had in any material sense altered the main outline and character of the measure. The hon. Member did not appear to have read the Amendment.

MR. BOUSFIELD: Oh, yes, I have.

SIR C. RUSSELL: Then it was all the worse for the hon. Gentleman's memory. The hon. Member appeared to think that the Government had accepted the Amendment.

MR. BOUSFIELD rose. [*Cries of "Order!"*]

SIR C. RUSSELL refused to give way.

\*MR. SPEAKER: The Attorney General is in possession of the House.

\*SIR C. RUSSELL said that, so far from being an acceptance of the Amendment of the hon. Member for North St. Pancras, the Amendment of the Government was a negation of it. He did not think that when the Government showed a desire to meet the criticisms of the opponents of the Bill consistently with the maintenance of the spirit of the clauses they should be met with observa-

tions such as those of the hon. Member opposite.

MR. BOUSFIELD stated that he had risen to make a statement, though, on reflection, he feared that it would not come within the limits of a personal explanation.

\*MR. GIBSON BOWLES (Lynn Regis) said, he had heard great pretensions put forward by old Members; but he had never before heard the pretension that old Members had a monopoly of irrelevancy and strong language. He thought that the Parliamentary apprentices might claim some freedom in discussion. When the example of travelling into personalities and irrelevancy was set by so old and eminent a Member as the Prime Minister some of the poor apprentices might be excused for wandering into the same paths; but he (Mr. Gibson Bowles) would not do so. He hoped to set a better and more courteous example than that set by the Prime Minister, the Attorney General, or even the Solicitor General. The Attorney General had truly said that the words proposed by the Irish Secretary were by no means an acceptance of the Amendment. They not only did not make the clause better than it was before in regard to the point to which the Amendment was addressed, but they made it worse. They first proposed that the Executive Committee of the Privy Council should be composed of such persons holding such offices as Her Majesty or the Lord Lieutenant might think fit; but Her Majesty and the Lord Lieutenant were thrown overboard, for they went on to say—

"Save as may be otherwise directed by Irish Act."

Under those words Her Majesty and the Lord Lieutenant would only be able to do that which they were permitted to do by Irish Act; therefore, the Amendment of the hon. Member for North St. Pancras was the more necessary. The insincerity of the clause was as palpable as its inconvenience. It professed to set up a Committee of the Privy Council, but nothing was more certain than that the Privy Council would have nothing to do with its nomination, and would commit nothing to it. It was no Committee of the Privy Council. They might call it a Cabal or a Committee of the Irish Legislature. That would be comprehensible and in

keeping with its character, but it would never be a Committee of the Privy Council. The persons composing the Committee were not to be nominated by the Crown, but were to be the holders of certain offices. It was not the person, but the officer, who became *ex officio* a Councillor; and this difficulty would arise: If the Postmaster General were an *ex officio* Councillor the gentleman who held the office might be eminently qualified as a Postmaster General and not eminently qualified as a Privy Councillor. What were they going to do?—to nominate the man because he would make a good Postmaster General, or refrain from nominating him because he would make a bad Privy Councillor? This showed the inconvenience of the proposal. It was practically preventing the Sovereign from calling to her Council a person whom she might think to be a good Councillor. Further, it would impose a man upon her as Councillor because he held a certain specified office—and the specification of the office was not to rest with Her Majesty or with the Lord Lieutenant save in so far as the Irish Legislature might think fit. He was surprised to find the Government, instead of endeavouring to meet the views of the hon. Member for St. Pancras, offering suggestions which would have the effect of rendering the clause even worse than it was.

Mr. DARLING (Deptford) could not agree with the hon. Member who had just sat down as to the effect of the word "save" introduced by the Chief Secretary—no doubt on the advice of the Attorney General. He did not believe it would have the disastrous consequences the hon. and learned Gentleman anticipated. It reserved to the Crown the power to appoint the Ministers in the first instance, and it appeared to him that the Chief Secretary had been well advised in using the word "save." He did not think the hon. Member for North St. Pancras had anything to complain of, as the Chief Secretary's proposal would go a long way towards bringing about the result he desired to effect.

\*Mr. SPEAKER: Does the hon. Gentleman propose to withdraw the Amendment?

Mr. T. H. BOLTON: No, Sir.

*Mr. Gibson Bowles*

Mr. COURTNEY (Cornwall, Bodmin) said, he should like to point out to the hon. Member that if the Amendment were not withdrawn the Government's Amendment could not be moved. He thought it would be worth while to try and get rid of the present obscurity; and the Amendment of the Government, although it was not very elegant, would have that effect.

Mr. J. CHAMBERLAIN (Birmingham, W.): I rise with some hesitation to support the view of my right hon. Friend, and to suggest to the hon. Member that he should follow his advice and withdraw the Amendment, in order that we may discuss the suggested Amendment of the Chief Secretary.

Mr. T. M. HEALY (Louth, N.) remarked that the Nationalist Members might refuse to allow the Amendment to be withdrawn.

Mr. SPEAKER: It can only be withdrawn with the consent of the House. Does the hon. Gentleman consent to withdraw?

Mr. T. H. BOLTON: In deference to the advice of the right hon. Gentleman, I ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

Mr. J. MORLEY: I now propose my Amendment.

Amendment proposed,

To leave out from "Crown" to "Act," in order to insert—"As Her Majesty, or, if so authorised, the Lord Lieutenant may think fit, save as may be otherwise directed by Irish Act."  
—(Mr. J. Morley.)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. E. GLADSTONE: I am anxious to say a pacifying word with reference to the speech I contributed to the Debate. When I heard the speech of my right hon. Friend the Member for Bury (Sir H. James) I at once saw I might have gone too far. After a little further consideration, I say frankly I think I was wrong in making a distinction between the hon. Gentleman (Mr. T. H. Bolton) and his constituents. If the hon. Gentleman has taken the precautions my right hon. Friend suggested he stands rightly enough with his constituents; but, if he has not, it is not a

matter on which I am entitled to call him to account. I, therefore, think the remark I made in haste was *ultra vires*. I withdraw it, and I regret it.

MR. SEXTON (Kerry, N.) said, the Amendment unquestionably made clear what had always been the intention—namely, that when an Irish Act was passed it alone should be the directing power.

DR. MACGREGOR (Inverness-shire) said, there was such a division of opinion between the lawyers on the one side of the House and the other that he thought a new Member like himself might draw attention to it. He thought it was Sydney Smith who said—"When doctors differ who shall decide?" He supposed that by doctors were meant Doctors of Law. He did not imagine that the world had ever before seen such a division of opinion among lawyers as had been apparent on this Bill. He used to think it strange that it was possible to drive a coach and horses through an Act of Parliament. He now saw a reason for it—there were too many lawyers in the House.

MR. SPEAKER: The remarks of the hon. Gentleman are not very pertinent to the Amendment before the House.

DR. MACGREGOR said, he was coming to the Amendment; but he thought that, on Report, one might make general remarks.

MR. SPEAKER: The hon. Gentleman is mistaken. There is a specific Amendment now before the House. The hon. Member's remarks must be confined to that Amendment.

DR. MACGREGOR: Then I beg to be excused.

Question put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

\*VISCOUNT CRANBORNE (Rochester) rose to move the following Amendment:—

Page 3, line 38, after "Act," insert, "(3) The Lord Lieutenant shall not do or omit to do any act upon the advice of the Executive Committee, or until he has received Her Majesty's instructions thereupon—

(a) in respect of any of the matters upon which the Irish Legislature are disabled from legislating under Section 3 of this Act; nor

(b) Whereby any person or corporation would be injuriously affected in respect of any of the matters in regard to which they are protected as against legislation by the Irish Legislature under Section 4 of this Act;

and it shall be unlawful for any Executive officer in Ireland, except by the direction of the Lord Lieutenant acting under Her Majesty's instructions as aforesaid, to do or omit to do any such act."

He said he did not think any Member of the House had any doubt that the matters which were excluded from the cognisance of the Irish Legislature ought likewise to be excluded from the Irish Executive. Much difficulty, however, arose from the fact that the Lord Lieutenant had two or three different capacities under the Bill, and the Amendment was an attempt to distinguish between the Imperial capacity and the local capacity of the Lord Lieutenant. There was no doubt that the Irish Executive ought to be debarred from dealing with the excepted subjects. The right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce) appeared to be under the impression that the Irish Executive must either act in virtue of an Irish law, or in virtue of no law at all. The right hon. Gentleman was, therefore, of opinion that it was impossible for the Irish Executive to deal with the excepted subjects.

THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): I do not assent to that description of my views.

\*VISCOUNT CRANBORNE said, the statement made by the right hon. Gentleman in a former Debate was—

"The Irish Executive could not have protection in an Irish Act for violating the rights and liberties safeguarded by those clauses. Such an Act would be *ipso facto* void, and if without such an Act they took action they would violate the law."

That having been the right hon. Gentleman's language, he did not think he had misquoted him, and he thought the right hon. Gentleman was entirely wrong in his view. The law did not take account of the discretion of the Irish Executive. Of course, if that Executive broke the law it might be called to account; but he submitted that it was in the matter of the discretion of the Executive that the difficulty would arise. Take, for example, Sub-section 2 of Clause 3. That sub-section made it impossible for the Irish Legislature to deal with the

conduct of Her Majesty's subjects in respect of the powers granted to Her Majesty for preventing war. A case might arise similar to that of the *Alabama*. War might break out between France and Italy with reference to the temporal power of the Pope. A privateer might be fitted out in an Irish port for the purpose of assisting France against the Italian Government. He submitted that unless the Lord Lieutenant exercised a great deal of care and put the law into operation, Great Britain might be made responsible for his inaction to the tune of £3,000,000 sterling at a subsequent period of our history. He wanted to make it clear in the Bill that the Irish Executive must not give advice to the Lord Lieutenant, and that the Lord Lieutenant could not take any advice from that Executive on such a subject; but that he must consult the Imperial Government on the matter. Extradition was also included among the excepted subjects. No doubt, the Law of Extradition was, at the present moment, put in force by the Secretary of State; but the precautions taken by the police in order to arrest a man on extradition really depended upon the way in which the Executive did their duty in Ireland. In a case of extradition the sympathy of the Irish people might be enlisted, and the Irish Executive might advise the Lord Lieutenant not to exercise his authority with sufficient care. The result might be that the criminal might escape, and the Imperial Government would be held responsible. The same argument applied to a case of treason, and to a case of armed and drilled forces. Unless the Lord Lieutenant put the law in force there would be no advantage whatever in excluding those subjects from the purview of the Irish Legislature. With reference to Clause 4, he thought it had been assumed by Members of the Government that any oppressive action taken under an Act of the Irish Legislature would render that Act invalid. It would be in the power of the Irish Legislature to forbid Party processions in Ireland, and the Legislature might go to the length of interfering with free speech in Ireland. He ventured to assert that if the Irish Executive liked it could oppress the minority in Ireland to a most tremendous extent, and could put an end to free speech altogether, so far as that

minority was concerned. That was the political aspect of the question; he now came to the individual side of it. Not long since the Chief Secretary held that he had a right to refuse police assistance to the Sheriff. The Courts of Justice, however, held a different view, and the Chief Secretary in consequence proposed to make a little change in the law in order to put himself in the right. What the right hon. Gentleman proposed to do could undoubtedly be done by an Irish Legislature; and there was nothing in Clause 4 to prevent the Lord Lieutenant, in virtue of such a change in the law, from limiting or even refusing police protection altogether in these cases. An Act of that nature would be perfectly legal as this Bill stood; but it might be made to work the greatest hardship in many cases. The most grievous wrong might be inflicted on owners of property, and on persons desirous of performing their legal obligations. He would like to cite some cases in which oppression might take place. Let them take a case in which disputes had occurred in Ireland in regard to the payment of rents, and relative to the administration of the Land Laws. It was easy to imagine what might take place under an Irish Executive. An unpopular or unsympathetic landlord might wish to enforce payment of his rents on what might be called a hard plan. There were such landlords in England and Scotland as well as in Ireland. Public opinion in Ireland would be arrayed against him; pressure would be brought to bear upon him to abstain from doing that which he was legally entitled to do; pressure would also be applied to the tenants to prevent them meeting their legal obligations; public meetings would be held to denounce the landlord, and eventually the Government itself would be approached with a view to inducing it not to allow this oppressive man to evict his tenants for non-payment of their rents, and the Irish Members would be reminded of all they had said on this subject in bye-gone days. In the end, police assistance would be refused, and the Executive would strain every nerve to use their discretionary powers in order to beat down the resistance of the landlord and to assist his tenants in ignoring their legal obligations. The Irish Executive would approach the Lord Lieu-



tenant ; and, if he acted on their advice, the tenants would have to submit to intimidation, and the landlord would be deprived of his rights. But if the Lord Lieutenant had to act upon the responsibility of an English Ministry this House would have that control over the Government of the day which the House knew so well how to exercise, and they would be able to prevent popular feeling in Ireland from committing a grievous wrong on those desirous to fulfil their legal obligations or to exact their legal rights. There was one other branch of the subject upon which he desired to address the House. Under the existing law, without any change whatever, the Executive possessed enormous powers of oppression. How, he would ask, were the powers of the Court of Exchequer in criminal matters to be carried out in defiance of the declared wishes of the Irish Executive? The Executive Government of the day had only to enter a *nolle prosequi* in order to put an end to a prosecution ; in a case in which they might be in reality the defendants they would be able to bring to a summary end the whole procedure. The Exchequer Judges, or any other Court in Ireland, might commit a man to prison for default in payment of a fine, or for disobedience to their orders ; but the Executive would be able forthwith to release the offender. Therefore, if the exercise of the prerogative of mercy was to be left to the Lord Lieutenant, acting on the advice of the Irish Executive, it would be useless to send a man to prison for contumacy, as he might be at once released. Surely this was a matter in which the Lord Lieutenant should be compelled to act on the responsibility of Imperial Ministers. He did not wish to destroy the discretion of the Lord Lieutenant, but he did desire to make him responsible to this House. It was said that Parliament was omnipotent, and that it could override any legislation passed by the Imperial Parliament. That, no doubt, was technically accurate ; but, even under these circumstances, the Government had felt it necessary to put into the Bill most careful provisions, limiting the legislative power of the Irish Parliament. If it was the intention of the Government that the Lord Lieutenant should act on the responsibility of the

Imperial Government, the drafting of their Bill did not show it ; and as this Bill, if it ever became law, would be, as it were, a Treaty between the two nations, and would be referred to whenever any difference of opinion arose between them, he desired that the matters which he had referred to should be made clear upon the face of the Bill itself. He ventured to say that the protection of direct responsibility to the Imperial Government was in this matter necessary in the highest degree, and that right hon. Gentlemen opposite, in view of all their professions, were not justified in refusing to accept his proposal, the terms of which had been purposely made as wide as possible. He begged to move the Amendment.

**Amendment proposed,**

In page 3, line 38, after the word "Act," to insert the words—" (3) The Lord Lieutenant shall not do or omit to do any act upon the advice of the Executive Committee, or otherwise than as representing Her Majesty—

- (a) In respect of any of the matters upon which the Irish Legislature are disabled from legislating under section three of this Act ; nor
- (b) Whereby any person or corporation would be injuriously affected in respect of any of the matters in regard to which they are protected as against legislation by the Irish Legislature under section four of this Act ;

and it shall be unlawful for any Executive officer in Ireland, except by the direction of the Lord Lieutenant representing Her Majesty, to do or omit to do any such act."—(*Viscount Cranborne.*)

**Question proposed,** "That those words be there inserted."

\*SIR C. RUSSELL said, he had listened with careful attention to the speech of the noble Lord, and, recognising as he did his great acuteness generally, he was bound to say that in this instance he had failed to show that acuteness, either in drafting his Amendment or in advancing reasons in support of it. In substance, although not in form, this Amendment was debated in Committee at no inconsiderable length on a Resolution of a cognate character proposed by the hon. Member for the Guildford Division of Surrey. He mentioned that not as challenging the right of the noble Lord to again raise it, but in order to explain that if he did not refer to some of the topics involved in the Amendment, it was because his right

hon. Friend the Chancellor of the Duchy of Lancaster had already done so. The fault which he had to find with the noble Lord was that he appeared to assume that there would be an irreconcilable antagonism between the Lord Lieutenant in his capacity as Representative of the Empire and in his character as local Governor; but the Government could not conceive that there would be any such irreconcilable or conflicting position. What had been done by this Bill had been to leave it entirely to the Imperial Executive to determine to what extent, in what form, and under what conditions powers should be exercised by the Lord Lieutenant as representing the Queen. But why, he might ask, in reply to an interjection which fell from the lips of the right hon. Gentleman the Member for West Birmingham, should not the Lord Lieutenant receive advice from every quarter as long as his responsibility remained? Why should he not be in a position to confer with the Irish Executive even in relation to matters on which the Irish Legislative Body had no legislative powers? His responsibility was untouched, and he would have to exercise that in pursuance of instructions. A great part of the speech of the noble Lord was addressed to showing that under the powers given to the Irish Legislative Body gross oppression might be exercised. Yes; it was true that the wise administration of a bad Act might work less evil than the partisan administration of a good Act, but this Amendment would not touch that point. As to the action of the Chief Secretary in refusing to supply police protection to Sheriffs who were making seizures at night, the law of this country was clear that distresses were not to be made unless within certain defined hours; and his right hon. Friend consequently thought he was justified in refusing the assistance of the police on such occasions when the seizures were made during the prohibited hours. Now he came to the effect of the Amendment. He took it that, although the noble Lord had made some verbal alterations in its form as it appeared on the Paper, the sense was intended to be the same.

VISCOUNT CRANBORNE: Yes.

\*SIR C. RUSSELL, continuing, said, it appeared to him that the Amendment was not a workable proposal. It meant

that the Lord Lieutenant should not do any act, or omit to do any act, upon the advice of the Irish Executive contrary to Clauses 3 and 4 until he had received Her Majesty's instructions thereupon. That was tantamount to saying that the Lord Lieutenant might, as representing Her Majesty, do such acts if authorised.

VISCOUNT CRANBORNE: No.

SIR C. RUSSELL: Of course that was not the noble Lord's meaning, but what he did mean was that any matters embraced in Sections 3 and 4, as being excluded from the legislative power of the Irish Legislature, should not be dealt by the Lord Lieutenant, until he had received Her Majesty's instructions. That would be entirely wrong, and foreign to the provisions of the Bill. Let them take, for instance, the question of the extradition of criminals. Was the Lord Lieutenant to be prevented using his power for the arrest of a foreign offender until he could get instructions from London?

\*VISCOUNT CRANBORNE: If the hon. and learned Gentleman rests his reply on these words, I must call his attention to the alteration. In matters of extradition the Lord Lieutenant would, of course, be responsible for his action to the Secretary of State in this House.

SIR C. RUSSELL said, the noble Lord had told them that, so far as meaning went, the alteration of the words of the Amendment did not affect it. It was the same as regards other classes of offences of that kind to which he need not further allude. The broad answer to this Amendment, and to all Amendments of this class, was that the Bill gave to the Imperial Executive complete and unrestricted power to fix the limits and extent of the delegation, and to determine the conditions and circumstances under which the delegated authority should be exercised by the Lord Lieutenant. There was a broad, clear, and distinct line between Imperial and Irish authority; but it was not intended that the Lord Lieutenant should be debarred from using such means as the circumstances of the time might require and the agencies at his command might furnish, although the agencies might be furnished by the Local Authority.

*Sir C. Russell*

MR. J. CHAMBERLAIN : I have to thank my hon. and learned Friend for having dealt with the question which I put in the early part of the Debate ; but I am not quite sure that my hon. and learned Friend has correctly appreciated the question. He will recollect that it arose out of the discussion as to the powers of the Lord Lieutenant in regard to the appointments of Lieutenants of counties. I understood my hon. and learned Friend to say that the Lord Lieutenant, in making such appointments, must act as the Representative of Her Majesty, and that he must so do because military matters are excluded by Clause 3. My question then was—Must the Lord Lieutenant act as representing Her Majesty in regard to all the matters which are excluded from the purview of the Irish Legislature by Clauses 3 and 4 ? That question has not been answered by my hon. and learned Friend. He said it would be absurd that the Lord Lieutenant should not acquaint himself with the opinions of the Irish Executive, although he is not bound to act on those opinions. But surely that will depend upon the manner and the form in which these opinions are tendered to him. If they tender advice to him as the Ministers, he is constitutionally bound to follow it or to dismiss them. The hon. and learned Member for Louth, as is his wont, misrepresented my question. He ridiculed the idea that the Members of the Irish Executive were not to send a halfpenny postcard to the Lord Lieutenant. I never suggested anything of the kind. It is not the point whether the Lord Lieutenant may acquaint himself privately with the opinions of certain gentlemen as individuals, but whether he is to ask for and accept advice from these gentlemen in their Ministerial capacity. Granting that the Lord Lieutenant may hear in an informal way the opinions of Members of the Irish Executive, is he bound to follow them ? The Attorney General says he is not. But I should like to put it a little more stronger. It is admitted that the Lord Lieutenant is obliged to act at different times in two capacities. He acts in one capacity as a person advised by the Irish Executive, and he acts in the other as representing Her Majesty. In which capacity must he act in dealing with these excluded matters ? In regard to these excluded matters,

is he to be compelled, without any choice or discretion of his own, to act as representing Her Majesty ? If he is, in what part of the Bill is it so stated ; and why do the Government object to an Amendment which says so ? The point is already adopted by the Government in accepting the Amendment of the hon. Member for Preston. Why do the Government, having accepted the Amendment of the hon. Member for Preston with regard to one of the excluded subjects, refuse to accept an Amendment with regard to the others ? The Government have made it perfectly clear that in the matter of the appointment of Lieutenants of counties the Lord Lieutenant is to act as representing Her Majesty. My hon. and learned Friend says that he is also undoubtedly to act as representing Her Majesty in all the other accepted subjects. But why does my hon. and learned Friend refuse to say so in the Bill ?

MR. SEXTON said, he would be glad that the noble Lord should explain how he supposed any Executive officer in Ireland could act at all with any certainty if his Amendment were accepted, because he proposed to make it unlawful for any Executive officer in Ireland, except by the direction of the Lord Lieutenant as representing Her Majesty, to do, or omit to do, any of the acts defined in the Amendment. If the Amendment were adopted it would be necessary for every Executive officer in Ireland, of whatever degree, from the highest to the lowest, on receiving any order from the Lord Lieutenant, to do any act, or to omit to do any act, to satisfy himself whether the Lord Lieutenant was acting on the advice of the Irish Executive or as representing Her Majesty, unless he wished to run the risk of a prosecution for doing an illegal act. That would be an impossible state of things. He would point out to the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) that there was a fundamental difference between Clause 3 and Clause 4 of the Bill. Clause 3 defined an Imperial sphere of legislation, and it was clear that as no law could ever be made upon any of the subjects defined in Clause 3 by the Irish Legislature when the instrument of delegation was issued defining the duties of the Lord Lieutenant he would be instructed that he was to act in all matters

defined in Clause 3 upon Imperial instruction and not upon Irish instruction; and it was evident, therefore, that the Lord Lieutenant, in any Executive action arising out of those subjects, must act upon Imperial authority. It would be open to the House of Commons at any time, if the instruction was imperfect in that respect, to amend it. If the Government issued an improper instruction of delegation they could be called to account, and they would be obliged either to amend the instruction or go out of Office. So much for Clause 3. Now they came to Clause 4. He was surprised that the right hon. Gentleman the Member for West Birmingham, so acute in intellect, which he had applied so extensively to this Bill, had failed to take note of the fundamental difference between the two clauses. Clause 3 was the subject of Imperial legislation; Clause 4 was the subject of Irish legislation. The subjects dealt with in Clause 4 were life, liberty, property, religion, education, and corporate institutions. The Irish Parliament might make laws upon every one of these subjects, and undoubtedly would; but Clause 4 said that any law they might make in connection with those subjects should not violate certain principles. When the Irish Parliament passed a Bill upon any of the subjects mentioned in Clause 4, such a Bill, if it did not violate any of the principles laid down, would receive the Royal Assent and become the law of the land. If, on the contrary, such a Bill violated any of the principles laid down in the clause, the Bill was *ultra vires*, and though the Royal Assent was given to it, it might be declared void on the initiative of any person who might be injuriously affected. The Lord Lieutenant, in regard to any of the matters mentioned in Clause 4, would have to act on the advice of the Irish Executive; and, therefore, the Amendment of the noble Lord did not apply itself to the case. The second part of the Amendment was unconstitutional, because it proposed that the Lord Lieutenant should not do any act in regard to Clause 4 whereby any person or corporation should be injuriously affected. The words "injuriously affected" did not occur in Clause 4, and it was quite possible that if the Irish Legislature passed a law upon any subject dealt with in Clause 4, the Lord

Lieutenant, under this Amendment would have to take upon himself to say whether or not the Act would injuriously affect any person, although such person may be injuriously affected legally. It was conceivable that a person might be "injuriously affected" by force of law, and through the proper operation of the law. The Amendment, if it were passed, would cast upon the Lord Lieutenant a responsibility which it would be impossible to discharge.

SIR H. JAMES: The arguments of the hon. Member for North Kerry very strongly support the substance of the Amendment; and if the noble Lord who moved the Amendment can only obtain the assent of the Government to a portion of the position taken up by the hon. Member he might very well be satisfied with the work he has done. The first objection of the hon. Member for North Kerry was that it would be impossible for an Executive officer in Ireland to satisfy himself in any case whether he was receiving instructions from the Lord Lieutenant in his Imperial or his Irish capacity. But that is a duty cast upon the Lord Lieutenant. He must tell the Executive officers when he gives his orders whether the instructions are from the Imperial Government or the Irish Government. You cannot legislate on the hypothesis that the Lord Lieutenant will disobey that duty. But the main question is, what will be the relations of the Lord Lieutenant and the Irish Executive in regard to all the matters excluded by Clause 3? The Attorney General, I respectfully submit, has not attempted to meet the interrogatories put to him by my right hon. Friend the Member for West Birmingham. It is admitted by the hon. Member for North Kerry, as it is admitted by my hon. and learned Friend the Attorney General, that with respect to all matters excepted by Clause 3 from the Irish Legislature, the Irish Executive shall have no power to advise the Lord Lieutenant.

MR. SEXTON: My conclusion was that the way to amend the provision was to amend the instrument of delegation.

SIR H. JAMES: The instrument of delegation will follow the Statute, and will be the creature of it; and it is necessary to have the limitation in the Bill. I cannot understand the position of the Attorney General as to the Con-



stitutional functions of the Lord Lieutenant. The hon. and learned Gentleman's view is that the Lord Lieutenant must take the advice of the Imperial Executive in respect of matters excepted in Clause 3. But while the line is clear in that clause between matters excepted from and matters delegated to the Irish Legislature, the hon. and learned Gentleman invites the Lord Lieutenant to be always passing that line. He says—"What is to prevent the Lord Lieutenant from discussing these matters with the Irish Executive?" That would be putting the Lord Lieutenant from a Constitutional point of view in an absurd position. Of course, the Lord Lieutenant could talk the matter over with his friends at his club. But that is not the point. The Lord Lieutenant must act upon advice constitutionally given. As the Representative of the Sovereign, he must act upon the advice of some Minister who will be constitutionally responsible for his action. My hon. and learned Friend places the Lord Lieutenant in this position. He is to take advice in regard to the accepted matters under Clause 3, from the Imperial Executive; but still at the same time he may, to use the colloquial phrase of the Attorney General, talk them over with the Irish Executive. But are they to speak to him as the Executive Government or as individuals? If the Irish Ministers are to speak only as individuals in discussing matters with the Lord Lieutenant, their advice counts for nothing; but if they speak as the Executive Government he must accept their advice or dismiss them. If they speak as Constitutional Advisers, and their advice clashes with that of the Imperial Government, which is to prevail? What is the use of discussing matters with the Irish Executive if their advice is not to be regarded? Let me give a concrete instance. Clause 3 excepts treason and treason-felony from the cognisance of the Irish Legislature. Supposing a person were convicted of that offence in Ireland, and that great sympathy was felt for him in the country, according to the view of the Attorney General the Lord Lieutenant could not pardon the man or mitigate sentence except on the advice of the Imperial Executive. What, then, would be the use of consulting the Irish Executive if he had to say, "I cannot

listen to your views"? The Government shrink from putting into the Bill what they admit to be the case—that the Lord Lieutenant must take the advice of the Imperial Government. The Government have accepted the Amendment of the hon. Member for Preston on the ground that it refers to a matter excepted under Clause 3, and that, therefore, the Irish Executive cannot advise the Lord Lieutenant in that matter; by a well-known legal maxim the insertion of that one head includes everything else. Having accepted an Amendment in respect to one of the excepted matters in Clause 3, why do you leave out of your consideration the 20 other matters in Clause 3? In the great confusion resulting from the fact that the House has not been allowed to adapt the later clauses of the Bill to the clauses which have been amended, no point will stand out more prominently and injuriously than that of the functions of the Lord Lieutenant as set forth in this clause unless the clause is properly amended.

MR. WYNDHAM (Dover) (who rose amid cries of "Divide!") said, that the House could not divide until some answer had been given, not only to the Leaders of the Opposition, but to the hon. Member for North Kerry.

It being half-past Five of the clock the Debate stood adjourned.

Debate to be resumed To-morrow.

#### METROPOLITAN MANAGEMENT (PLUMSTEAD AND HACKNEY) BILL.

Read a second time, and committed to a Select Committee of Five Members, Two to be nominated by the House, and Three by the Committee of Selection.

Ordered, That all Petitions against the Bill, presented not later than three clear days before the sitting of the Committee, be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, and Witnesses, be heard on their Petitions, if they think fit, and Counsel heard in favour of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—*(Colonel Hughes.)*

## FOREIGN AND COLONIAL MEAT (NO. 3)

## BILL.

On Motion of Mr. Yerburch, Bill to regulate the sale of Foreign and Colonial Meat, ordered to be brought in by Mr. Yerburch, Mr. Lambert, Mr. Lopes, Mr. Fellowes, Sir Mark Stewart, and Mr. Robert Price.

Bill presented, and read first time. [Bill 445.]

## PUBLIC PETITIONS COMMITTEE.

Twenty-second Report brought up, and read ; to lie upon the Table, and to be printed.

## MARKING OF FOREIGN MEAT, &amp;c.

Ordered, That a Message be sent to the Lords, to request that their Lordships will be pleased to communicate to this House a Copy of the Report from the Select Committee appointed by their Lordships on Marking of Foreign Meat, &c., with the Proceedings of the Committee.—(Mr. Herbert Gardner.)

## BOARD OF AGRICULTURE (DISTRIBUTION OF GRANTS).

Copy presented,—of Report on the Distribution of Grants for Agricultural Education in Great Britain in the financial year 1892-3 [by Command] ; to lie upon the Table.

## BOARD OF AGRICULTURE (POTATO DISEASE).

Copy presented,—of Report on Further Experiments in Checking Potato Disease in the United Kingdom and Abroad [by Command] ; to lie upon the Table.

## UNITED STATES (No. 10, 1893) (BEHRING SEA ARBITRATION).

Copy presented,—of Award of the Tribunal of Arbitration, constituted under Article 1 of the Treaty concluded at Washington on 29th February 1892, between Her Britannic Majesty and the United States of America [by Command] ; to lie upon the Table.

## NATIONALITY AND NATURALISATION (MISCELLANEOUS, No. 3, 1893).

Copy presented,—of Report from Her Majesty's Ambassador at Paris respecting the Modification of the French Law on Nationality (in continuation of Miscellaneous, No. 3, 1893) [by Command] ; to lie upon the Table.

## NAVAL ESTABLISHMENTS (LABOURERS' WAGES).

Copy ordered, "of Statement showing the present and revised scales of pay for Labourers and certain classes of Workmen in Her Majesty's Naval Establishments at Home ; with an estimate of approximate cost of the revised rates, based on the numbers borne on 1st April 1893."—(Mr. E. Robertson.)

Copy presented accordingly ; to lie upon the Table, and to be printed. [No. 386.]

## NAVY (HER MAJESTY'S FIRST CLASS CRUISERS "POWERFUL" AND "TERRIBLE").

Copy ordered, "of Description of the First Class Cruisers *Powerful* and *Terrible*, to be built by Contract, and for the commencement of which provision is made in the Navy Estimates for 1893-4."—(Sir Ughtred Kay-Shuttleworth.)

Copy presented accordingly ; to lie upon the Table, and to be printed. [No. 387.]

## ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. JESSE COLLINGS (Birmingham, Bordesley) asked if the Third Reading of the Home Rule Bill would be taken on Tuesday or Wednesday ; and if on Wednesday, what would be taken on Monday and Tuesday ?

THE PATRONAGE SECRETARY TO THE TREASURY (Mr. MARJORIBANKS, Berwickshire) said, that they proposed to take the Estimates on Monday and Tuesday, the Navy Votes being proceeded with first, and on Wednesday to begin the Third Reading of the Home Rule Bill.

In answer to Mr. TOMLINSON (Preston),

MR. MARJORIBANKS said, that any time between the Navy Votes and the Third Reading of the Home Rule Bill would be devoted to the Civil Service Estimates.

MR. JESSE COLLINGS : Will these Estimates be taken in order ?

MR. MARJORIBANKS : Yes, after the Navy Estimates.

Motion agreed to.

House adjourned at twenty minutes before six o'clock.

## HOUSE OF LORDS,

Thursday, 24th August 1893.

## COMMISSION.

The following Bills received the Royal Assent :—

1. Congested Districts Boards (Ireland) (No. 3).
2. Improvement of Land (Scotland).
3. Housing of the Working Classes Act (1890) Amendment.
4. Conveyance of Mails.
5. Law of Distress (Ireland).
6. Liverpool Court of Passage.
7. Local Government Provisional Orders (No. 15).
8. Salmon Fishery Provisional Order.
9. Education Provisional Order Confirmation (London).
10. Education Provisional Order Confirmation (London) (No. 2).
11. County of the City of Glasgow.
12. Tramways Provisional Orders.

## CHAIRMAN OF COMMITTEES.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY) moved that, in the absence of the Earl of Morley, Lord Playfair be appointed to take the Chair in Committee of the Whole House for the business of the day.

Moved, "That the Lord Playfair do take the Chair in Committee of the Whole House this day in the absence of the Earl of Morley."—(The Lord President, [*E. Kimberley*].)

Motion agreed to.

## ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.—(No. 219.)

## THIRD READING.

Bill read 3<sup>a</sup> (according to Order), with the Amendments.

On Question, "That the Bill do pass?"

Clause 7.

LORD SANDFORD said, that when this Bill was in Committee Amendments were made for the purpose of

relieving subscribers to the voluntary schools of what would be a considerable charge upon them. But Clause 9 rendered that concession nugatory in the case of children who were paid for by the school authorities. He, therefore, proposed the following Amendment, which was really consequential.

Amendment moved,

In page 3, line 41, after ("rates") to insert ("reduced by a sum equal to the contribution made by or received from parents under Section 9 (1).")—(*The Lord Sandford*.)

THE EARL OF KIMBERLEY: My Lords, I quite agree that it is necessary to make some Amendment, but I hope the noble Lord will be willing to adopt one which has been suggested by the draftsman as carrying out more completely what is intended. It is to this effect :—

In Clause 7, to insert,—“For the purposes of this section there shall be included in local rates every sum received under this Act by a school authority from a parent and applied towards the general expenses of the school authority.”

I am sure the noble Lord will consider that that carries into effect what he desires. The draftsman assures me it will do so.

LORD SANDFORD agreed to accept the Amendment in substitution for his own.

Amendment (by leave of the House) withdrawn.

Amendment (*Earl of Kimberley*) agreed to.

Clause, as amended, agreed to.

Clause 9.

THE EARL OF KIMBERLEY: I have an Amendment in this clause the object of which is that fees paid by agreement shall not be included.

Amendment moved,

In page 5, line 8, to leave out ("paid under the order") and insert ("received by a school authority under this section.")—(*The Earl of Kimberley*.)

\*LORD SANDFORD said, he ought, perhaps, to apologise to the Lord President for having put down his second Amendment; and if the noble Earl would kindly give an explanation of the Reference to the provisions of the Education Act it might not be necessary to move it.

THE EARL OF KIMBERLEY : It will be observed that Clause 9 says—

“Where a school authority incur any expense under this Act in respect of any blind or deaf child, the parent of the child shall be liable to contribute towards the expenses of the child such weekly sum, if any, as, regard being had to the provisions of the Elementary Education Act, 1891, may be agreed on between the school authority and the parent.”

The object of the reference to the Education Act of 1891 is this. It is obvious that the parent of a child who is required by this Bill to attend a school in the same way as we require children to attend elementary schools should not be placed under any disadvantage as compared with the parent of a child who is not blind or deaf. The intention, therefore, is that in making any order care should be taken that nothing falls upon a parent in respect of the free education which he would have a right to demand if the child was sent to an ordinary elementary school. It is quite obvious no one could desire that such a parent should be placed in a less favourable position. That is the whole object of the Reference, and I apprehend there will be no difficulty in providing for it.

\*LORD SANDFORD asked, as the cost was much greater in these special schools than in ordinary elementary schools, and the limit in the Act was 10s., whether it was proposed to limit the grant to 10s. ? He asked that question because he had been unable to get any explanation of the matter, and the clause as it stood seemed unintelligible.

THE EARL OF KIMBERLEY : I cannot say exactly what sum would be allowed, but it is quite clear the intention is that the parent should not be placed at a disadvantage. If you take his child and place it in an institution against his wish, it is quite clear he should not, as regards that child, be made to pay anything which he would not be compelled to pay if the child were sent to an ordinary school. It is true there is some additional expense; but that is thrown upon the parent by the action of the law, and it would be extremely unfair that a parent who has the misfortune to have a deaf and dumb child should be placed under a disadvantage. There are other institutions to which these children may be sent which are not elementary schools; but power is given by this Bill to make

grants to these schools, and those grants will be made with reference to the amounts which might be fairly taken into consideration in reference to the parent having free education for the child. I do not think there will be any difficulty in carrying it into effect.

\*LORD SANDFORD said, after that explanation he would not move his proposed Amendment to leave out the Reference to the Education Act and insert that regard should be had to the means of the parent.

Amendment agreed to.

Clause 9, as amended, agreed to.

LORD SANDFORD moved, as a new clause—

“The Education Department shall annually lay before both Houses of Parliament a report of their proceedings under this Act during the preceding year, and in that report shall give lists of the schools to which they have granted and refused certificates under the Act during the year, with their reasons for each such refusal.”

Clause agreed to.

Bill passed, and sent to the Commons.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 254.)

##### SECOND READING.

Order of the Day for the Second Reading, read.

\*LORD RIBBLESDALE said, he felt sure their Lordships would give a Second Reading to this Bill in view of the history of swine fever in this country. Before explaining the provisions of the Bill, he would shortly refer to the history of that most malignant and contagious disease. Apparently, prior to 1862, swine fever did not possess the dismal prerogatives of a special disease, but a virulent disease affecting swine, and variously known, was recognised by the dealers at Bristol. In 1878 the Privy Council issued an Order for slaughter and quarantine with the view of dealing with the disease; and from time to time, between 1878 and 1892, Local Authorities had adopted measures for the purpose of dealing with it. But whether from want of uniformity of action or other causes the steps taken by the Local Authorities had not been successful in stamping out the disease. Some of the Local Authorities became



discouraged from those in neighbouring districts failing to support them ; and altogether they became slack in administering the powers of which they had been put in possession. In February, 1892, a strong deputation waited upon Mr. Chaplin, the then President of the Board of Agriculture, and urged him to compel uniformity of action. The successful way in which pleuro-pneumonia had been grappled with by Mr. Chaplin was pointed to ; and they asked, why should not swine fever be dealt with with equal success ? On February 7 last a very strong Departmental Committee was appointed by the President of the Board of Agriculture to inquire into the whole question of swine fever, and as to the best way of dealing with it. After taking evidence, that very authoritative and responsible Departmental Committee came to this conclusion—they were satisfied from the evidence submitted to them that, owing to the impossibility of securing uniform action on the part of Local Authorities, swine fever could not be extirpated unless under the direction of a Central Authority ; and they added that overwhelming evidence had been adduced to the effect that, by the adoption of proper measures, the disease could be extinguished in a reasonable time. The Bill was based upon the recommendations of that Departmental Committee. The Bill made any money available for dealing with pleuro-pneumonia under the Act of 1890 available also for dealing with swine fever, and all the powers at present exercisable by the Board of Agriculture in this country, and by the Lord Lieutenant and Privy Council in Ireland under this Act with respect to pleuro-pneumonia and cattle, were made exercisable with respect to swine fever and swine. The compensation to be paid for any animal slaughtered under the provisions of the Bill was to be the value of the animal immediately before it was slaughtered, or, in the case of a diseased animal, one-half of the value of the animal before it became affected. With regard to finance, the Government anticipated that the money already standing to the credit of the pleuro-pneumonia account, together with a small balance of about £9,000 which remained of the moneys voted for foot-and-mouth, and the sum of £65,000 already provided in the Estimates for the

present year, would very nearly, if not quite, enable them to defray the cost of the administration of the Bill up to March 31 next, the end of the present financial year. In future years, under the provisions of the Bill, the net contribution of the Exchequer in any one year would be limited to £50,000, and the balance, after crediting the fund with the proceeds of the sale of carcasses, would fall to be provided, as in the case of pleuro-pneumonia, out of the local taxation accounts in Great Britain and the general cattle diseases fund in Ireland. The Bill was to come into operation on November 1 next. The noble Lord hoped their Lordships would give the Bill a Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Ribblesdale.*)

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

#### ISLE OF MAN (CHURCH BUILDING ACTS) BILL.—(No. 143.)

##### SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR (Lord HERSCHELL) : My Lords, this Bill is for the purpose of removing a doubt which has arisen as to disabilities under the Church Building Acts.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Herschell.*)

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

#### THE OPIUM COMMISSION.

##### QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY asked the Secretary of State for India if he would refuse to allow the expense of an Opium Commission, which had not been asked for either by the India Office or by the Government or the people of India, to be put upon the Indian Treasury ? He said he would, at the outset, state his own convictions and personal experience with regard to the opium traffic in the East, in order that he might not appear to be speaking now against them. There was, in the first place, a

great difference between the eating and smoking of opium ; and it was possible to keep on eating the drug in moderation without any resultant pernicious effects. But with regard to smoking opium, he had been asked by Chinese in Singapore and Penang not to believe that any of their countrymen considered it otherwise than a vice ; and once, on a vessel where the supercargo—a Chinaman—was continually smoking opium, all the people on board spoke of him as a good man, and pitied him for having fallen into that vice. There were two opinions about the opium traffic, and it seemed there was no room for a third. One opinion was that opium was an unmixed evil, except when administered by doctors, and that in forcing it upon the Chinese we had been guilty of a national sin. However, since the Treaty of Chefoo, Englishmen now living might be considered to have purged themselves from that sin. The other opinion, as he had said, was that opium was not injurious when taken in moderation ; that it was a necessary of life in some countries ; and that its cultivation could not be abolished in India without inflicting a loss on the Indian agricultural population, causing friction with the Native States, and sacrificing £4,000,000 annually of Indian Revenue. A large portion of India had been brought under cultivation for opium, and it was not possible to do away with the traffic without doing injury to our own subjects, to whom our first duty was due. Under the first of those opinions a national sin had to be atoned for, which could only be done by the sinners. That we had committed a national sin had been lately avowed by the Prime Minister. Under the second class of opinion the disturbance of the existing state of things was uncalled for, and was what was colloquially called a fad. Mr. Gladstone, in a part of his speech which had not been noticed by any of the papers as far as he knew, said he was obliged to object to that part of the Motion as being tainted with the sin of ambiguity, and referred to it as the wildest and most shadowy measure. It was rather singular to hear Mr. Gladstone complaining of ambiguity, and he seemed to be unconscious how much of it there was in his own speeches. He thought the House was entitled to hear from the noble Earl the Secretary of State for India which of those opinions

he held as to this traffic, and whether he could deny that its discontinuance must be either a duty on the part of this country or a gratification of the feelings of a section of it ; and, that being so, that it ought to be paid for by this country and not by India, and that all preliminary steps to such discontinuance of the opium traffic, such as the appointment of a Royal Commission, ought to be paid for out of the British Exchequer and not out of Indian taxes. He had just received a letter which had been sent to *The Daily Chronicle* by the Anti-Opium Society's Secretary urging this view, and pointing out that Mr. Gladstone had apparently left the matter open for reconsideration. He, therefore, hoped, as it was still open for reconsideration, the noble Earl would be able to give a satisfactory answer that the Government did not intend to impose this cost upon India. If they did so it would be extremely unfair to the people of India. Personally, he would have been satisfied to leave the matter as it had been left in Viscount Cross's Blue Book, showing that the opium traffic had been stopped in Burma. The spread of the traffic in Bombay, and in other places where the sale of opium had increased, should be restricted. In other respects the traffic would correct itself. The last news from India was that, in consequence of the late silver legislation, the sale of opium to China was already diminishing, and in that case the Indian Government would be obliged to find some other means of raising Revenue. He would also ask his noble Friend what was the view taken by his Council, and whether he had any objection to lay any opinions expressed by any Members of that Council on the Table ? Before sitting down, he felt bound to say that the Prime Minister had made an admirable and comprehensive speech on the opium traffic, and the only fault to be found with it was that the speech did not justify the conclusion arrived at—namely, an inquiry into a vast range of subjects which would occupy many years by a Royal Commission the Members of which, so far as the selection was known, did not appear to be very competent for such an inquiry, so that the proposed Commission appeared to be intended as a sop to one section of the Prime Minister's followers of an electioneering nature.

*Lord Stanley of Alderley*

**THE EARL OF KIMBERLEY :** My Lords, I will confine myself to answering the question which the noble Lord has asked me. I can inform him that it is proposed that the expense of the Opium Commission shall fall half upon the Indian Revenues and half upon the British Treasury—that the cost shall be divided.

**THE MARQUESS OF SALISBURY :** May I ask whether that has been decided? Has the proposal been agreed to?

**THE EARL OF KIMBERLEY :** That is what is proposed. It is only a proposal at present. We are obliged to get it into shape before it can be arranged.

**LORD STANLEY OF ALDERLEY** asked whether the noble Earl would not give any reason why half the cost was to fall upon India? That appeared to him to require justification.

**THE EARL OF KIMBERLEY :** It seems to me that India is deeply interested in the settlement of the question raised by the promoters of this Commission, and, that being so, it is not unreasonable that one-half of the expense should fall on the Indian Revenues, the other half being borne by the British Treasury. That is all I can say.

#### THE LORD PRESIDENT'S SALARY.

##### QUESTION. OBSERVATIONS.

**LORD STANLEY OF ALDERLEY** asked the Secretary of State for India if he had made any progress towards obtaining a salary for the Lord President out of the British Exchequer? He said that when he last put a question to the noble Earl upon this subject of his salary as Lord President, at the same time complimenting him upon the performance of his duties as Secretary for India and as Lord President, he did so on behalf of the people of India. He now asked the same question on behalf of the people of this country. An opinion was generally prevalent that unpaid services were not valuable, and that the absence of salary and irresponsibility went together. The noble Earl had already told the House that he was able to discharge his functions and duties as Lord President through his Vice President; but, at the same time, the noble Earl ought not to have taken advantage of his connection with India to have borrowed a mau-eating tiger

to turn loose into the Education Office. The noble Earl had been in the House for about 45 years. In the early part of his career he served the country with advantage in many places. He did good service in St. Petersburg. He had also been Lord Lieutenant of Ireland, and in his time there were no riots in Belfast. His noble Friend also had always acted with responsibility and with dignity, whether as Colonial Secretary or as Secretary for India; and the way in which the Duke of Richmond had complimented him in that House upon the manner in which he had conducted a Licensing Bill would be in their Lordships' recollection. Under those circumstances, he must entreat his noble Friend not to allow his great reputation to be muddled away by the proceedings of his Vice President—he would not say “wrecked,” because wrecking a reputation would only apply in such a case as the Prime Minister's—gambling away his position and sacrificing everything in his endeavours to pass the Home Rule Bill. When he last brought this subject forward he was written to by the editor of a Tory paper that it was not desirable to press the matter, because the public might not get, in the noble Earl's place, so good a man as Lord President. But he differed from that opinion, and would prefer one of Mr. Frederick Harrison's chimney sweeps as Lord President, because, if so, there would be nobody to support the Vice President in the injurious course he was pursuing. However, he would not speak further of the Vice President on this occasion, because he had a Notice on the Paper for going into the subject. His noble Friend had had so much to do with the India Office that he had become very autocratic. He would again urge the noble Earl to obtain a salary as Lord President of the Council, as distinct from his other Office of Secretary of State for India. If he would do that the grievance felt in India in this matter of the payment of salary to the Secretary of State for India would be removed. His own view was that the noble Earl should have both.

**THE EARL OF KIMBERLEY :** My Lords, I ought really to be grateful to my noble Friend for his strenuous exertions to obtain for me an increase of salary; but I do not quite perceive by what logical deduction he arrives at the

conclusion that I should have greater influence over the Vice President if I received a larger salary than I do now. The noble Lord has described the Vice President in a way not quite Parliamentary. He has gone the length of calling him a Bengal tiger. I can only suppose that the noble Lord thinks I am, as Indian Secretary, so greatly influenced by Indian traditions that I have actually chosen as Vice President a gentleman having as many qualities of a wild beast as can be found in a man. Whatever the idea of the noble Lord may be with regard to that, I regret to have to tell him that I have made no progress at all in the direction of obtaining a salary as President of the Council. I further wish to assure my noble Friend that whatever may be the correct description of the Vice President I have complete confidence in that gentleman, and fully approve the course which he has taken in educational matters.

THE MARQUESS OF SALISBURY : My Lords, I do not think the noble Earl has quite understood why objection is taken to his self-denying ordinance with respect to his salary. The result of his not receiving the salary attached to the Office of President of the Council is that he occupies a kind of detached position, and that it creates in him a merely philosophic disposition in connection with all that takes place in the Education Office. If we cannot persuade the noble Earl to obtain this salary of £2,000 a year, which, I think, would revive the noble Earl's zeal in the cause of English education, I would suggest that as the noble Earl's payment from India has such a philosophic effect upon his mind it might be well to try the experiment of paying Mr. Acland's salary out of Indian Revenues also. That course might have a useful effect upon his mind, and the result might be a lightening of the burden imposed on voluntary schools at the present moment.

LORD STANLEY OF ALDERLEY said, as the noble Earl seemed to think he ought not to take a salary from the British Exchequer, perhaps he should not take one from the Indian Treasury either.

#### BUSINESS OF THE HOUSE.

THE EARL OF KIMBERLEY : We propose that, as there is no important

*The Earl of Kimberley*

business for to-morrow, the House, at its rising, should adjourn until Monday next.

Moved, "That the House, at its rising, do adjourn till Monday next."—*(The Earl of Kimberley.)*

Motion agreed to.

#### CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (LEEDS AND LIVERPOOL CANAL) BILL.—(No. 242.)

Read 3<sup>a</sup> (according to Order), and passed.

#### CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER (NAVIGATION OF THE RIVERS AIRE AND CALDER) BILL.—(No. 243.)

Read 3<sup>a</sup> (according to Order), and passed.

#### CANAL TOLLS AND CHARGES PROVISIONAL ORDER (GRAND JUNCTION CANAL) BILL.—(No. 244.)

Read 3<sup>a</sup> (according to Order), and passed.

#### CANAL TOLLS AND CHARGES PROVISIONAL ORDER (WARWICK AND BIRMINGHAM CANAL) BILL.—(No. 254.)

Read 3<sup>a</sup> (according to Order), and passed.

#### INDUSTRIAL AND PROVIDENT SOCIETIES BILL.—(No. 225.)

Amendments reported (according to Order); further Amendments made; and Bill to be read 3<sup>a</sup> on Monday next.

#### BURGHES GAS SUPPLY (SCOTLAND) ACT (1876) AMENDMENT BILL.—(No. 226.)

Order of the Day for receiving the Report of Amendment, read, and discharged.

#### PUBLIC WORKS LOANS (No. 2) BILL.

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.



## COMPANIES (WINDING-UP) BILL [H.L.].

A Bill to amend Section 10 of the Companies (Winding-up) Act, 1890—Was presented by The Lord Chancellor; read 1<sup>a</sup>; and to be printed. (No. 258.)

House adjourned at five minutes before  
Five o'clock, to Monday next, a  
quarter past Four o'clock.

## HOUSE OF COMMONS,

*Thursday, 24th August 1893.*

## STANDING ORDERS.

Standing Order 194 read.

MR. J. STUART (Shoreditch, Hoxton) said, he wished to move an Amendment to Standing Order 194. This Order was only two years old, and was introduced in relation to Bills of the London County Council such as dealt with the borrowing of money. The Standing Order introduced considerable changes in the procedure which had up to that time applied to Bills of that description, and with those changes the London County Council was not satisfied. Nor could he express himself, on behalf of the London County Council, as satisfied with the position in which their Bills relating to the borrowing of money stood.

## ROYAL ASSENT.

Message to attend the Lords Commissioners ;—

The House went ;—and, being returned ;—

MR. SPEAKER reported the Royal Assent to—

1. Congested Districts Board (Ireland) Act, 1893.
2. Improvement of Land (Scotland) Act, 1893.
3. Housing of the Working Classes Act, 1893.
4. Conveyance of Mails Act, 1893.
5. Law of Distress and Small Debts (Ireland) Act, 1893.
6. Liverpool Court of Passage Act, 1893.

7. Local Government Board's Provisional Orders Confirmation (No. 15) Act, 1893.

8. Salmon Fishery Act (1873) Provisional Order (Tees Fishery District) Confirmation Act, 1893.

9. Education Department Provisional Order Confirmation (London) Act, 1893.

10. Education Department Provisional Order Confirmation (London) (No. 2) Act, 1893.

11. County of the City of Glasgow Act, 1893.

12. Tramways Orders Confirmation Act, 1893.

## STANDING ORDERS.

Debate resumed.

MR. J. STUART (continuing) said, the Standing Order to which his Amendment referred was introduced after considerable correspondence between the parties concerned respecting the Bills for the borrowing of money of the London County Council. It was understood by the London County Council, and intended by the then President of the Local Government Board, that the Standing Order should only apply to such Bills. On the 29th May, 1891, the date of the Standing Order—or before the introduction of the Standing Order—a draft of it was conveyed to the London County Council by Mr. Ritchie, who wrote to say that it would be understood that the proposed Standing Order would not affect in any way whatever the authority which the County Council possessed to execute any works within their statutory powers, the cost of which would be defrayed out of the rates. It was only in respect of works constructed out of borrowed money, the cost of which would fall upon future ratepayers that it would apply. Though that might have been the understanding, the effect was different. The first words of the Standing Order was—

“All Bills promoted by the London County Council containing power to raise money shall be introduced as Public Bills.”

And then followed certain exceptions with respect to these Bills which affected the borrowing of money. It had been understood, until quite recently, on account of the letter of the President of the Local Government Board, that the raising of money there was intended to

refer to the raising of it by means of borrowing ; but, as Mr. Speaker, in the earlier part of the Session, in a remarkably lucid ruling, ruled, and as the plain sense of the words indicated, the Standing Order was a prohibition, and prevented the London County Council from introducing a Bill of any kind for the raising of money as a Private Bill. That being so, what he begged to contend was this—that in the change then introduced by the Standing Order the County Council was deprived of a power which its predecessor, the Metropolitan Board of Works, had possessed for 35 years; and, in the second place, that the County Council was placed in a different position by the Standing Order from that in which other Municipal Bodies were placed, because, as he had submitted to the House at the time the Standing Order was passed, there were many instances in which Bills affecting the distribution of rating and the raising of money had been brought in by Municipal Bodies and actually passed into law which the London County Council was prohibited by the Standing Order from bringing in. If the Standing Order were altered as he proposed, it would read thus—

“All Bills promoted by the London County Council containing powers to raise money by the creation of stock or on loan shall be introduced as Private Bills.”

Amendment proposed, in line 2, after the words “raise money,” to insert the words “by the creation of stock or on loan.”—(*Mr. J. Stuart.*)

\*MR. COHEN (Islington, E.) said, his Friend, in moving his Amendment, said he did so on behalf of the London County Council, whom he described as being dissatisfied with the existing order of things. No doubt the County Council had expressed itself in favour of altering the Standing Order ; but his hon. Friend would recollect that their decision was by no means unanimous. It was strongly opposed, and the result at which it arrived was only arrived at after a Division. But, however that might be, he (Mr. Cohen) had risen to oppose the present proposal in no spirit of hostility to the County Council. He had had the honour to be a member of the Council since the first days of its institution—longer, he thought, than his hon. Friend—and he should be the last per-

son to do anything which he thought prejudicial to its interests or reputation. He recollected in the Debate in that House on the Thames Conservancy the right hon. Gentleman the President of the Local Government Board cast some reproaches not very relevant, as it seemed to him at the time, and certainly unjust as regarded himself, against those who he said were hostile to, and were constantly attacking, the Council. In his (Mr. Cohen's) belief, such a Motion as that of his hon. Friend was calculated to give ground for—perhaps to produce—these attacks from those who might be unfriendly to the Council ; and he thought, in opposing the alteration, he was doing what he could to disarm such attacks, and to sustain, and even to enhance, the reputation of the London County Council. Let the House consider only for one moment the effect of his hon. Friend's Motion. The Standing Order, as it now stood, prohibited the Council from raising money by Private Bill, except by borrowing, through the creation of stock or otherwise. His hon. Friend's Motion would forbid what was now permitted, and would permit what was now forbidden. He did not want to prevent the Council from doing what it could now do, and he did not want it to be able to do what was now forbidden. He thought the House would see that the Standing Order as it now stood was justified by equity as well as by practice. It was right in practice that the Council should be empowered by Private Bill to create stock subject to present conditions as to Government sanction, and in conformity with the existing provisions as to Schedule, because the means were simple, and the method certainly, as far as regarded the Council with its £30,000,000 of debt, could not be said to be novel. But to enable the Council to raise money by Private Bill, through any means other than by borrowing, by means of the creation of stock or otherwise, appeared to him wrong in equity and not justifiable by practice. The hon. Member had said this power was vested in other Municipalities. But surely he must recognise the difference between London and other Municipalities. They scarcely resembled each other in any respect at all, while in all matters that governed the subject now before the

*Mr. J. Stuart*

House they were diametrically different. For his hon. Friend's illustration to be in point he should have cited counties, and not Municipalities which consisted of small wards or parishes all homogeneous, and whose various interests were not only similar, but probably also identical. Could this be said of London? It was quite conceivable—it was even probable—that the interests of Kilburn might conflict, say, with those of the Borough, and that Hackney might know nothing and care nothing about the wants of Battersea; and if, as was doubtless intended, and as they knew was attempted, it was sought to alter the incidence of taxation and to change the system of levying the rates, those were great questions of public policy which did not arise in small Provincial towns, which affected the interests in different ways of the various divisions of the County of London, containing a population of 5,000,000 people, and which ought to be debated and decided in public Debate on the floor of the House. The hon. Gentleman had referred to what he considered was the intention of Mr. Ritchie at the time the Standing Order was framed. He regretted his right hon. Friend was not here to explain for himself his intention, but he hoped they would hear on this subject his hon. Friend the late Secretary to the Local Government Board. He submitted the interpretation put on the Standing Order by Mr. Speaker was the only one that the words of that Order admitted of; and he submitted, further, that the intention of its framers must be taken to be that which was the natural, and, indeed, the only meaning which attached to their words. The London County Council did not in 1891 make any attempt to introduce by Private Bill an Improvement Rate. If they had done so he ventured to say neither his hon. Friend nor anyone else would have been left in doubt as to what would have been on such procedure the opinion of the late President of the Local Government Board, who, he was convinced, never contemplated for one moment the introduction by Private Bill of such legislation as would be possible were the House to accept the Motion now before it. He apologised to the House for having detained it. He would conclude by saying that he wished in no sense to be understood as arguing against an Improve-

ment Rate or a Betterment Rate in principle. Those important questions were not now before them. His object only was to guard the Council from acquiring a reputation of trying by clandestine and side methods to pass legislation which involved great questions of more than municipal, even of national, policy. He believed that such a procedure as his hon. Friend the Member for Shoreditch contemplated was not likely to enhance the reputation of the London County Council, which was as precious to him (Mr. Cohen) as it was to his hon. Friend. Under these circumstances, he thought it would be in the interest of the London County Council and of the authority of the House that the Motion should be rejected by an emphatic and decided majority.

MR. PICKERSGILL (Bethnal Green, S.W.) observed, that the opposition of the London County Council to the Standing Order did not originate when the Owners' Improvement Rate Bill was thrown out this year. On the contrary, the Council was opposed to the Standing Order in 1891, and he had a most distinct recollection of a very strong speech made in opposition to it by the right hon. Gentleman the Member for London University (Sir J. Lubbock). The hon. Gentleman opposite (Mr. Cohen) said it was right and equitable to impose restrictions on the London County Council in this matter. But why should a restriction be imposed on the London County Council from which other Local Bodies were free? It seemed to him that the argument which the hon. Member had founded upon equity must go by the board when it was remembered that this was a special restriction imposed upon the London County Council. No doubt London was technically a county; but it had far more in common with the great cities of the country than with the counties. The hon. Member (Mr. Cohen) insinuated that the former power of the London County Council on this subject was withdrawn because it had been abused. That was a most unjust insinuation to make against the London County Council. In the discussions that took place in reference to the change in the Standing Order in 1891, the point now raised was never debated at all, the discussion being limited to the right to raise money by

loan. The London County Council was really placed in a great difficulty by the provisions of the Standing Order. If the Council introduced a Private Bill authorising them to levy a rate, they were told that they could only proceed by means of a Public Bill. If they introduced the Bill as a public measure they were referred to Standing Order No. 1. The hon. Member for East Islington (Mr. Cohen) seemed to think that if the Standing Order were amended in the way suggested, the House would be depriving itself of all control over the Bills of the London County Council, and of all opportunity of discussing their projects. That was not the case. All the Council desired the House to do now was to settle the question of order, and to enable them to introduce Bills of the kind referred to—the question of merits would be reserved for the decision of the House. If the Council ever introduced a Private Bill of too large a character, the House could, of course, throw it out. He did not think there was any machinery in the world that was more adapted for threshing out a difficult question than a Committee of the House of Commons, to which, in the ordinary course, a Private Bill would be referred. The hon. Gentleman (Mr. Cohen) said the Council was proposing to introduce a Bill by clandestine means. It would be for the House to judge whether a description of that kind could be properly applied to such an Amendment of the Standing Order as was now proposed. He trusted that the Motion would be carried.

MR. R. G. WEBSTER (St. Pancras, E.) said that, although he was not a member of the London County Council, he had some personal knowledge of the system of Local Government in London in the past, and especially in regard to the finances of the Metropolis. He wished to know why the hon. Member for Shoreditch (Mr. J. Stuart) should, at the end of a somewhat weary Session, bring forward a Motion of this kind, and in consequence keep the House from the discussion of the important Bill that was now before it?

MR. J. STUART: The hon. Gentleman asks me a question, and I will answer it. It is because before the beginning of November we have to introduce our Bills, and it is desirable

that we should know the circumstances under which we are to introduce them.

MR. R. G. WEBSTER went on to say that it was not the case that under the old system the Metropolitan Board of Works had the powers now asked for by the London County Council. Not only on all questions of loans, but in respect of all additional expenditure, the Metropolitan Board of Works had to come to the House of Commons; and it was his duty, he believed, on three occasions, to defend Money Bills introduced into the House by a Member of the Government on behalf of the Board. The London County Council at the present time had an increasing expenditure. That expenditure now amounted to £2,000,000, which was a very heavy burden on the ratepayers of the Metropolis; and if, by means of the procedure of the House, some slight check could be placed on the expenditure, he should not regret it. At present the whole Budget of the London County Council was brought before the House every year, but under the proposed system the money proposals of the Council would be sent up to a Committee, and the House would have no knowledge of the facts. He thought it was necessary for those Conservative Members who wished to do their best to guard the interests of overburdened middle-class ratepayers from the effects of the fads of the London County Council to vote against the Motion.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The speech delivered by the hon. Gentleman who has just sat down discloses, to my mind, a grave misapprehension of all the facts of the case, with regard both to the position of the London County Council and the position of Parliament. I must, therefore, recall the attention of the House to what is the position of the Council and of the House, and to show what would be the extent of the operation now proposed by my hon. Friend. Two or three years after the constitution of the Metropolitan Board of Works, it became the practice of the Treasury to bring in what was called the "Money Bill" of that Body. This was practically a Government Bill, and had all the facilities of a Government Bill in passing through the House. By means

*Mr. Pickersgill*



of that Bill, no doubt, the House controlled the borrowing powers of the Metropolitan Board. A new state of things supervened when the London County Council was established; and several Members—I myself among the number—strongly protested against the London County Council being placed in a different position from all the different Municipalities of the Kingdom, by having its Money Bills brought in on the responsibility and under the care of the Government of the day, without being subjected to the checks which were applied to the Bills of other Local Authorities. Mr. Ritchie gave the matter consideration; and in 1890, and I think again in 1891, he gave a pledge to the House that this most unsatisfactory state of things should be terminated; that the Government should be relieved of the responsibility of dealing with London finance; and that the Council should introduce their own proposals into Parliament as other Municipalities did. The Standing Order was arranged, I think, in the Session of 1891, under the supervision of Mr. Ritchie and the representatives of the London County Council, and with the assistance of my right hon. Friend the Member for Bodmin (Mr. Courtney), then the Chairman of Committees. It was intended to meet—and it really seems to me it did meet—all the facts of the case. It provides that all Bills introduced by the London County Council for money purposes should be introduced as Public Bills, unless they complied with certain conditions, but that Bills authorising the borrowing of money and complying with those conditions should be introduced as Private Bills. This year the London County Council introduced a Bill for the purpose of authorising the raising of a new rate. You, Mr. Speaker, held that the words “containing power to raise money” were not confined to raising money by borrowing, but extended to raising money by levying rates; and, if I may venture to say so, you, no doubt, most accurately ruled that under the Standing Order the Bill must be introduced as a Public Bill. It is not too much to say that in the present state of Public Business, or in any conceivable state of Public Business in this century, or in this decade of the century, it is useless to empower the London County Council to introduce

Money Bills as Public Bills. They must either be Government Bills or Private Bills to have any chance of passing. All that is now asked is that the Standing Order should not be restricted to Bills authorising the borrowing of money by means of stocks and loans, but that the London County Council should be enabled to introduce a Rating Bill as a Private Bill. The hon. Member opposite says that, in that case, the House will have no control. The House will have a great deal of control. All Private Bills must be read here a second time; and if a novel principle is introduced into such a Bill, its opponents will have a better chance against it, because they will have this early period of the Sitting in which to bring forward their views. Certainly, we have this Session had enough experience of reviewing the action of the London County Council on Private Bills. After a Private Bill has gone before a Committee it is brought before the House on the Report stage, and again on the Third Reading. I can see no possible disadvantage that will accrue to London on the one hand and to the House on the other from the adoption of the course proposed. I absolutely repudiate the doctrine of the hon. Member that we in this House are to review the current expenditure of the London County Council. If so, why should we not do the same with regard to the Birmingham, or the Manchester, or the Liverpool Town Councils? The doctrine I venture to submit to the House is that the London County Council should have the same powers as, and neither more nor less than, other Municipal Councils. It should not be kept in leading strings, but should be put on the same footing and have the same powers as Glasgow, Manchester, and Liverpool. One of those powers is that of coming to the House by means of a Private Bill, in order to obtain powers to deal with the rates. The object of the Standing Order is to put London on the same footing as other Municipalities, and so far as the Government are concerned they have no objection to offer to that. But I should strongly object to any change from the Local Government Board to the Treasury. On the broad principle that I wish London to be exactly where all other Municipalities are; and under the control of the same Government Department as Man-

chester and Liverpool, I am prepared to extend to it the Standing Order which applied to all Provincial towns. I know nothing of the circumstances under which the Standing Order was originally introduced; but I have no doubt that Mr. Ritchie intended to do what was wise and just, and if that intention was not carried out it is only fair that the mistake should be remedied by the House. The question of the application of this special restriction to London is an open one, which the House may well decide, without in any way parting with any of the powers it now possesses of complete control over Private Bill legislation.

MR. LONG (Liverpool, West Derby) said, he was glad to recognise that there was no sharp disagreement between the two sides of the House upon that question. The President of the Local Government Board had based his support of the Motion of the hon. Member for Hoxton on the ground that he desired to put the London County Council on an equal footing with other Municipalities. But he would not secure that end by merely supporting the Amendment. It might possibly reduce the inequality, but it would by no means place London on all-fours with Provincial Corporations; and if once the House began to discuss that argument he believed they would soon be found to be in sharp disagreement. The description given by the right hon. Gentleman of the proposed change was, no doubt, absolutely correct; but the alteration was a serious one, and he could not help regretting the absence of the Chairman of Committees, whose guidance on these occasions was always received with respect and gratitude. They knew that the progress of a Private Bill through the House was much more simple and easy than that of a Public Bill, and that would account for the desire of the London County Council to effect this change. It was not for him, however, to suggest that it was an undesirable one to make; and, under the circumstances, he thought his hon. Friends might be content with having fairly and clearly stated their case, and not press their opposition to a Division.

Question put, and agreed to.

Mr. H. H. Fowler

## QUESTIONS.

### PROPOSED FRENCH CABLE FROM AUSTRALIA TO AMERICA.

MR. HOGAN (Tipperary, Mid): I beg to ask the Postmaster General whether he has observed in *The Standard* of Thursday, the 17th instant, a despatch from Berlin stating that the cable from Australia to New Caledonia, constructed by a French Company, is the first section of a cable service from Australia to America via Samoa and Honolulu, and that the German Imperial Post Office has expressed its readiness to grant a subsidy towards the construction of the Samoan connection; whether he has any information that would throw light on this alleged intention to construct a complete cable service under foreign management and control between Australia and America; and whether any steps have been, or are being, taken to give effect to the strongly-expressed wishes of the Australian and Canadian Delegates to the Imperial Conference held in London in 1887 in favour of the construction of a Pacific cable under British management and control?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): The answer to the first paragraph of the hon. Member's question is "Yes"; but I have no official information which bears out the statement. As to the second paragraph, the agreement which has been entered into by the French Government with a Company for a cable from Queensland to New Caledonia has been published, and I shall be glad to let the hon. Member see a copy if he wishes. I am not aware of any steps having been taken to lay a cable under British management and control; but I ought to add that, as subsidies to Submarine Cable Companies are not borne on the Vote for the Post Office, the question is not one under my special control.

### THE "COSTA RICA PACKET."

MR. HOGAN: I beg to ask the Under Secretary for Foreign Affairs whether he has seen, in the *The Sydney Daily Telegraph* of 6th July, a further statement of Captain Carpenter, of the *Costa Rica Packet* relative to the losses, privations, and indignities to which he

was subjected during his unwarrantable seizure and detention by the Dutch authorities of the Moluccas ; whether he has observed the allegation of Captain Carpenter, that the £2,500 suggested by the Foreign Office to the Dutch Government as personal compensation under the circumstances would be more than swallowed up by the expenses he has incurred, and the losses consequent on the disarrangement of his affairs ; whether the Foreign Office will reconsider Captain Carpenter's case in the light of this additional communication ; and whether any decision has yet been arrived at in the matter of the claim of the owners and crew of the *Costa Rica Packet* for compensation from the Dutch Government for the loss of a whaling season, occasioned by the arrest and imprisonment of Captain Carpenter ?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) : I have seen the statement referred to ; but, apart from the impossibility of founding claims upon a statement in the newspapers, we could not in reason have pressed for the amount demanded—namely, £10,000, as compensation for loss entailed upon Captain Carpenter personally by a detention of a few weeks. A further point as regards the claims of the owners and crew has been submitted for the consideration of the Law Officers, and is still being considered ; but no new decision has been come to.

#### THE LOSS OF THE "VICTORIA."

MR. GIBSON BOWLES (Lynn Regis) : I beg to ask the Secretary to the Admiralty whether, by the regulations and custom of the Navy, it was nobody's duty, when it appeared that there was imminent danger of the *Victoria* foundering, to order the engineers and stokers to be called up from the engine room and stoke hold ?

THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe) : The circumstances attending the loss of the *Victoria* are well-known. At the moment of the final catastrophe the ship was being turned towards the land with the object of reaching shallow water, and the engineers and stokers on watch were at their stations carrying out their duties in obedience to the last orders received for

working the engines. It is doubtful whether, as the hon. Member implies, the imminent danger of the ship foundering was fully realised on board the *Victoria*, and the Admiralty are not prepared to impute blame to anyone as suggested by the terms of the question. If the case had been totally different, and all hope of saving the ship and the whole of her crew by means of her engines had been abandoned, the officer in command would undoubtedly have done all in his power to prevent a single man remaining below in the engine room or elsewhere.

MR. GIBSON BOWLES : The right hon. Gentleman has not touched my question. He implies that I was making an imputation when I asked if it was anybody's duty to warn the engineers and stokers to come on deck.

SIR U. KAY-SHUTTLEWORTH : I submit to the House that I have fully answered the hon. Gentleman.

#### NAVAL SIGNALLING.

MR. GIBSON BOWLES : I beg to ask the Secretary to the Admiralty whether he can state, without prejudice to the Public Service, what is the T.A. system of signalling alluded to in the *Victoria* Court Martial as having been invented by Admiral Tryon, and in what way it differs from the ordinary naval signals ; whether this T.A. system was first tried in the Channel Squadron, under Admiral Sir Michael Culme-Seymour in the years 1890-1 ; whether any Report upon it was made by the Admiral in command of that Squadron ; and whether the Report was favourable or the reverse ?

SIR U. KAY-SHUTTLEWORTH : As a general rule, it would be prejudicial to the interests of the Public Service to give answers relating to the Signal Books in use in the Fleet. But, in this case, there is no objection to stating that the T.A. system of manœuvring is only an elaboration of a signal that has been in the Signal Book many years. The effect is to manœuvre the Squadron by closely watching and following the Admiral's motions without signals. It was tried by Sir Michael Culme-Seymour in the Channel Squadron, and the Report, although favourable as a whole, suggested several minor alterations.

## THE NEWFOUNDLAND FISHERIES.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Secretary to the Admiralty whether the instructions, under which the officers commanding Her Majesty's ships on the coast of Newfoundland are now acting, can be made public; and whether the Naval Estimates are charged with the costs of printing executed for them in Newfoundland, or whether such charges are borne on the Colonial Vote?

SIR U. KAY-SHUTTLEWORTH: In the opinion of the Board of Admiralty it would be inexpedient to publish the instructions to the naval officers on the coast of Newfoundland. No expenses for printing in Newfoundland have been charged to Navy Votes. I presume that any such outlay would fall on other funds.

## THE BEHAR CADASTRAL SURVEY.

COLONEL WARING (Down, N.): I beg to ask the Under Secretary of State for India whether the Government of India intends, for the purposes of the Behar Cadastral Survey, to re-introduce the Patwari Bill in some modified form; and whether the Patwari Bill was vetoed by the Secretary of State in 1885 as an infringement of the permanent settlement, and on what grounds?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): (1.) The intentions of the Government of India in regard to the re-introduction of a Patwari Bill have not been announced to this Office. (2.) The Patwari Bill was abandoned in 1886 in connection with the Muzaffarpur Survey, because, the measure being purely experimental, it was not considered right to lay the expense upon the people.

## COOPERS IN THE DEPTFORD VICTUALLING YARD.

MR. DARLING (Deptford): I beg to ask the Secretary to the Admiralty whether there are any, and, if so, how many, coopers employed in the Deptford Victualling Yard at less wages than those agreed to by the London master coopers, and that the current rate of wages paid in their trade?

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee): Of the 34 coopers at Deptford

2 earn 30s. a week; 6 earn 26s.; and 26 work piece-work according to a scale of prices revised in 1890. This scale was proposed by the men and adopted by the Admiralty, who, however increased the prices in some instances. Under the scale men can earn up to 36s. a week. It is believed that these earnings compare favourably with those of the private trade.

## SLAVERY IN ZANZIBAR.

MR. S. SMITH (Flintshire): I beg to ask the Under Secretary of State for Foreign Affairs whether the Decree issued at Zanzibar by the Sultan and Sir Gerald Portal, on the 11th September 1891, forbidding the hiring of porters to proceed inland from the Sultan's dominions in consequence of the stimulus this practice gives to the Slave Trade, is still in force; and whether caravan organised in the British Protectorate of Zanzibar for travel in Africa are manned in part by hired slaves; and, if so, how many such caravans have started for Uganda and elsewhere since September 1891?

\*SIR E. GREY: The Decree in question referred to the Islands of Zanzibar and Pemba, and, so far as Her Majesty's Government is aware, is still in force. It is understood that caravans organised on the coast are in some cases manned partly by persons who are technically slave. But in all cases which come under the notice of British Authorities the greatest care is taken that the hiring is a direct transaction with the person hired, as his status as a slave or otherwise does not come in question. It is impossible to say how many caravans have left the coast since September, 1891.

## THE COURT MARTIAL ON THE "VICTORIA."

SIR E. HARLAND (Belfast, N.): I beg to ask the Secretary to the Admiralty if he can now lay upon the Table of the House the Report in full of the evidence taken before the Court Martial on the *Victoria* and *Camperdown* disasters, especially that part relating to the manipulation of the bulkhead doors which was not reported in the newspaper and in consequence of the finding of the Court being silent upon the question of the efficiency of their bulkheads or the doors through them, or if such doors we



or were not capable of being closed in time, will the Admiralty as soon as possible have these questions thoroughly investigated by a Committee in which independent outside authorities shall be invited to join?

**SIR U. KAY-SHUTTLEWORTH:** The Minutes of the Court Martial on the loss of the *Victoria* will, as I have already stated, be laid upon the Table of the House; and they include full evidence with respect to the bulk-head doors. The time has been too short since the Minutes reached the Admiralty for the whole of them to be printed. As soon as the Board have the printed evidence before them, they will thoroughly consider all the questions arising upon it. But, until this can be done, it is impossible to determine whether it will be necessary to institute any special inquiry such as that which the hon. Baronet suggests.

**SIR E. HARLAND:** About how soon is it probable that the Report will be on the Table?

**\*SIR U. KAY-SHUTTLEWORTH:** That depends on the printers. I cannot make any conjecture. I know, however, they are subjected to much pressure just now.

**MR. HANBURY (Preston):** Are we not going to have this before the Estimates? It is a very important matter.

**SIR U. KAY-SHUTTLEWORTH:** The Board of Admiralty has not yet seen it.

#### HILLSBOROUGH POSTMISTRESS.

**MR. T. W. RUSSELL (Tyrone, S.):** In the absence of the noble Lord the Member for West Down, I beg to ask the Postmaster General whether he has received a Memorial from the inhabitants (of all denominations) of Hillsborough, County Down, praying that the daughter of the late Postmistress should be appointed to the post office; and whether, inasmuch as the daughter of the late Postmistress has performed the duties of the post office during the last three months in a completely satisfactory manner, he will grant the prayer of the Memorial?

**MR. A. MORLEY:** There were two candidates for the post referred to—Miss Ingram, the daughter of the late Sub-Postmistress, and Mrs. Mulvaney, who

had been employed for 12 years in the Sub-Office at Ballynahinch, also under Lisburn. The late Sub-mistress was called upon to resign in consequence of serious irregularities in her accounts, and of general carelessness in the performance of her duties. Under these circumstances I appointed Mrs. Mulvaney, who was reported to be of exemplary character.

#### THE TELEPHONE QUESTION AT GLASGOW.

**MR. PARKER SMITH (Lanark, Partick):** I beg to ask the Postmaster General whether the agreement now in course of settlement with the National Telephone Company will prejudice the position of Municipalities in applications for telephone licences; and whether that agreement, if executed, would prejudice the Corporation of Glasgow in their recent application for a telephone licence, or would make that licence, if granted, less valuable; and, if so, whether he will consider the Glasgow application, and give it a full answer upon the merits before making any agreement with the National Telephone Company?

**MR. A. MORLEY:** The agreement now in course of negotiation with the National Telephone Company will not in any way limit or affect the right of the Postmaster General to grant licences to other persons.

#### SIAM.

**MR. CURZON (Lancashire, Southport):** I beg to ask the Under Secretary of State for Foreign Affairs whether H.M.S. *Linnet* left Bangkok on 17th August; whether there is any British gunboat now in the Menam, or neighbourhood; and whether sufficient guarantees exist for the continued protection of British subjects and property?

**\*SIR E. GREY:** The *Linnet* left Bangkok on the 17th, probably for reasons of health, by order of the Commander-in-Chief of Her Majesty's Naval Forces at Hong Kong; but it is intended to supply her place by another vessel. There is no other British ship of war in Siamese waters at this moment; but Her Majesty's Minister at Bangkok reports that the condition of affairs there is quiet. There are two gunboats now off Bangkok, one French and one German.

# LABOURERS' COTTAGE SCHEMES IN IRELAND.

MR. KENNEDY (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the Report of the Local Government Board for Ireland just issued, from which it appears that out of 25,975 cottages included in schemes which they have been petitioned to confirm, from the inception of the Labourers Acts up to 31st March, 1893, they have already rejected 11,376; whether the rejection of schemes depends on the individual discretion of the Inspector who holds the local inquiry; whether the great majority of applications are dismissed owing to informalities in the representation forms, caused by their being filled by the labourers themselves, many of whom have very slight education; whether the preliminary expenses up to the close of the local inquiry into the then rejected representations cost on an average £3 per head; and whether, in view of this loss to the Unions, he will direct Boards of Guardians to instruct their solicitors or clerks on application by the labourer to fill his representation form for him, and give him instructions as to the necessary signatures he will require to obtain for it?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): The numbers given in the first paragraph are correct. The rejection or approval of schemes does not depend upon the individual discretion of the Inspector, but upon consideration of the evidence taken at the inquiry and the recommendations made by their Inspector. So far as the Board are aware, only a very small proportion of the houses have been rejected for the reason assigned in the third paragraph. A certain number have been thrown out consequent on informalities in representations, schemes, notices, &c.; but the great majority of cottages rejected have been thrown out on the merits. The Board have not sufficient data to say whether the fact is as stated in the fourth paragraph. In some Unions the preliminary expenses in legal, engineering, advertising, have been somewhat heavy; but where the Clerk of a Union has advertised the scheme, served the notices, and prepared

the petitions, the cost would not be as high as £3 per cottage. The Local Government Board think it would be objectionable that Clerks of Unions or other officers should be instructed to fill up the representation forms for labourers. The Board consider that representations should emanate from the ratepayers themselves, without the intervention of the Guardians or Union officials, before whom the representations would afterwards come for consideration.

MR. KENNEDY: Is the right hon. Gentleman aware that after the Act was passed representations were made by agricultural labourers themselves to the effect that they did not understand how to fill in the forms, and could not afford to pay a solicitor to do it?

MR. J. MORLEY: I have looked at the forms. They seem to be simple enough, and I see no difficulty in filling them in.

## DISMISSAL OF A METROPOLITAN POLICE CONSTABLE.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to a case heard on the 8th and 22nd July at Westminster Police Court, in which two men were charged with disorderly conduct and assaulting the police, when evidence was given that a police constable assaulted the defendants and others without justification, and the Magistrate ultimately dismissed the charge, stating that the Commissioners of Police would make inquiry into the matter; and if he can state what has been the result of this inquiry?

MR. ASQUITH: My attention has been drawn to the case. The Commissioner has made careful inquiry. There are many circumstances of doubt, and he arrived at the conclusion that the case would be met by compulsory resignation of the constable, and in this I concur.

## READING BOOKS IN IRISH SCHOOLS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain on what grounds the Board of National Education in Ireland has recently issued a revised edition of the Fifth Reading Book, in which the articles

on *The British Constitution*, by the late Archbishop Whately, and the articles on political economy by the same author have been expunged, and which contains as new matter five articles by the Right Rev. Monsignor Molloy, two by the Most Rev. Dr. Healy, one by Cardinal Wiseman, one by Lord O'Hagan, and one by Cardinal Newman?

DR. COMMINS (Cork, S.E.): Is the right hon. Gentleman aware that the discarded chapters on Constitutional Law and political economy are to be added to the advanced higher course in Trinity College, Dublin?

MR. W. JOHNSTON (Belfast, S.): May I ask the Chief Secretary will he explain on what grounds the Commissioners of National Education in Ireland have omitted from the Fifth Book of Lessons *The History of the British Constitution*, by the late Archbishop Whately, and also 18 articles, by the same author, on political economy, and why five out of the eight lessons on Scripture history have been omitted, and writings substituted which are objected to by Protestants, and in the Third Reading Book for children from 9 to 12 years of age, the last verse of Moore's *Canadian Boat Song*, teaching the Invocation of the Saints, has been inserted; and if this change is made with the sanction of the Government?

\*MR. M. AUSTIN (Limerick, W.): Is the right hon. Gentleman aware that at the last annual meeting of the Trades Union Congress, representing the organised workers of the United Kingdom, a resolution was unanimously passed protesting against the retention of these articles on political economy by Archbishop Whately; and has he not received a resolution passed by the Belfast Trades Council, which is largely composed of supporters of the hon. Member for South Antrim, also protesting against the retention of these articles as being prejudicial to the interests of Irish working men?

MR. BODKIN (Roscommon, N.): Before the right hon. Gentleman answers these questions, will he say if he is aware that the curriculum of intermediate education include the works of a certain Pagan, an alleged poet named Homer; is he aware that in this person's writing the doctrine is taught and encouraged of the invocation of heathen deities in-

cluding Jove, Venus, and Mars, and other objectionable personages, and in the interests of pure evangelical teaching will he have these works removed from the intermediate programme with a view to substituting for them—

\*MR. SPEAKER: Order, order! The question savours somewhat of ridicule, I think.

MR. J. MORLEY: With reference to this question, and the one which follows on the same subject in the name of the hon. Member for South Belfast, I am informed that, in consequence of representations urged on the Board of National Education from time to time, a revision of the Fifth Book was undertaken and brought to a completion in 1892; that at a meeting of the Board, held on January 31 last, a Committee of the Commissioners, consisting of four Protestants of various denominations and two Roman Catholics, was appointed to consider the draft of the book as revised; that this mixed Committee unanimously approved of the revised publication; and the Board at its meeting, on April 25, also unanimously adopted the Report of the Revision Committee. Now, as regards the matter expunged, &c., the articles on *The British Constitution*, I understand, were considered too difficult for readers of the Fifth Book, and more appropriate for pupils further advanced. As to the lessons on political economy, I find that on June 4, 1891, and again on May 5, 1892, dissatisfaction was expressed at these lessons, in questions addressed to my predecessors in office. Several passages in the lessons were considered prejudicial to the interest of working men who are Trade Unionists, and one passage made the singular observation that the effect of fixing a judicial rent would be to leave the farm idle on the landlord's hands. These doctrines are now clearly antiquated. As to the addition of the last verse of *The Canadian Boat Song*, all I can say is that the hon. Gentleman has waited a long time to make this discovery, the addition having been made and published as far back as 1884. Moreover, the song in its entirety is very commonly used in the public elementary schools of Great Britain. I may add that the Fifth Book was regarded as too extensive for the pupils' course, and, on the recommendation of the Revision Committee, the

Board decided to reduce it. The Scripture lessons shared in the reduction, I believe, though 18 pages still remain, and any new matter substituted for old matter has been selected for its excellence and for the distinguished character of the authors. I have examined these passages; they mainly concern physical and geographical matters, and seem to me not to contain a syllable of controversy or offence to the most sensitive mind. The Executive Government was not consulted before the publication of the revised book, nor is it considered necessary, under the circumstances of the case, that it should have been consulted. A discretionary power is necessarily vested in the Commissioners with regard to these publications, within the limits of which they may make such changes as to them appear desirable without previously communicating with the Government.

MR. MACARTNEY: I shall call attention to this matter on the Estimates.

#### PROHIBITED MEETINGS IN IRELAND.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he would state to the House what is the number of persons who have been committed in Ireland under the Act Edw. 3, c. 1, since the 22nd August, 1892; what is the total number of outdoor meetings which have been prohibited in Ireland by the Government since 22nd August, 1892; and on what grounds have such meetings been interfered with?

MR. J. MORLEY: I am not in a position to give to-day the information required by the first paragraph of the question; inquiry is still in progress. As regards the second and third paragraphs, it appears that 16 such meetings have been interfered with since August 22, 1892, on the ground of anticipated intimidation in connection with evicted farms.

#### OUTRAGE ON A HORSE IN COUNTY TIPPERARY.

MR. ARNOLD-FORSTER: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, within the last few days, near Fethard, County Tipperary, a horse belonging to Mr. Crooks, of St. Helens, Lancashire, was maliciously killed by

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having its throat cut; and whether the police have been able to discover what was the motive for the outrage?

MR. J. MORLEY: The outrage referred to was committed on the 4th instant. The police have their suspicions as to the cause and author of the outrage; but it is not considered expedient to make any statement on the subject which would tend to frustrate them in their endeavour to make the offender amenable.

#### GOVERNMENT CONTRACTS IN SCOTLAND.

MR. KEIR HARDIE (West Ham, S.): I beg to ask the Secretary of State for War whether any contracts from his Department are placed with the Clydebridge or Mossend Steel and Iron Companies; whether such firms are non-Union, and pay considerably less than the Union rates of wages; and what action he proposes to take in the matter to enforce the Resolution of the House relating to the conditions of labour?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. WOODALL, Hanley): The War Department has had no contracts with the Clydebridge Company. The last contract with the Summerlee and Mossend Company of Glasgow was in August, 1892, and has now been completed. Nothing is known as to whether such firms are non-Union and pay considerably less than the Union rate of wages. The usual action has been taken in these contracts to carry out the Resolution of the House of Commons, the clause as to the wages paid being those generally accepted as current having been inserted.

#### THE SLEAHEAD ROAD CONTRACT.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that William Long, of Ballyferriter, County Kerry, is contractor for the completion of the work known as the Sleahead Road under the Congested Districts Board; that all the land necessary for this road has been purchased and paid for, and conveyances duly executed by both owners and occupiers and deposited with the Congested Districts Board; whether he is aware that the contractor, having been duly authorised by the Congested Districts Board and by the engineer of the works to proceed with



the construction of the road, has been obstructed by the occupiers for whose benefit the road is being constructed, and obliged to seek police protection for himself and his men to enable him to carry out the works according to the terms of his contract, and that on the 18th instant he had to dismiss 40 men whom he had engaged for the carrying out of the work owing to the violence and obstruction offered; and what steps he proposes to take in the matter?

MR. J. MORLEY: The facts are as stated in the first paragraph. I understand that some six tenants, through whose lands it is proposed the road shall pass, objected to the work being proceeded with, on the ground that they had not received the full amount of compensation allowed by the Congested Districts Board. Five of these tenants have since waived their objection. On one day only, the 19th instant, were the men not employed, and at no time was actual violence offered to the engineer or contractor in the construction of the road. Two policemen were present on the 17th, the only occasion on which they attended, and matters proceeded most peaceably. The work is now in progress, and I have no doubt the scruples of the remaining solitary objector will soon be overcome.

#### IRISH COPYING CLERKS AND HOME RULE.

MR. H. PLUNKETT (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the copying clerks of the Law Courts in Ireland, who are paid by progressive salaries and fees, are entitled to pensions under the provisions of the Government of Ireland Bill; and, if so, which clause or sub-section applies to their case?

MR. J. MORLEY: Scrivenery clerks in the Irish Law Courts are paid by an annual retaining fee, calculated according to the number of folios written. The employment does not qualify for pension or gratuity on retirement; but under Clause 25 (7) and the Fourth Schedule (5) of the Government of Ireland Bill a scrivenery clerk, if removed for any cause other than incapacity or misconduct, may apply to the Treasury, who may award him compensation, having regard to the amount of his retaining fee received out of the moneys provided by Parliament.

MR. T. M. HEALY (Louth, N.): Will pensions also be provided under the Bill for the charwomen employed at the Castle?

[No answer.]

#### GOVERNMENT PAINTING CONTRACTS IN IRELAND.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Government painting contracts have been given by the Commissioners of National Education in Ireland to a contractor who disregards the Resolution of February, 1891; and whether he will take steps to have the wishes of this House carried into practice in those and all other Governmental contracts?

MR. J. MORLEY: It is presumed this question has reference to the contract for the painting of two of the Training Colleges in Dublin. I am informed by the Commissioners of National Education that the contractor for this work has assured them that he pays the workmen employed at the contract at the same standard rates of wages as are commonly paid by other firms in Dublin for the same kind of work.

#### THE NEW SHIPBUILDING PROGRAMME.

MR. FORWOOD (Lancashire, Ormskirk): I beg to ask the Secretary to the Admiralty if he can now furnish the particulars omitted from the Navy Estimates, pages 210 to 220, in regard to the new vessels building or proposed to be built, especially as to their estimated cost, speed at natural draught, coal capacity, and armament; also the estimated cost of reconstruction or repairs, speed, and principal armaments of the *Sultan*, *Warrior*, *Northumberland*, and *Agincourt*, which are included in the Navy Estimates; when will the statement as to the number of men employed at each rate of pay and number promoted be delivered; and when will he be able to state the decision of the Admiralty in regard to the abolition or otherwise of the graduated or classified system of day pay?

SIR U. KAY-SHUTTLEWORTH: The statement as to the number of men employed at each rate of pay and the number that have been promoted is in the hands of the printer, and will, I hope, be ready to-morrow or Saturday. On

the Motion of my hon. Friend the Civil Lord, a statement, showing the present and revised scales of pay for labourers and certain classes of workmen in the Naval Establishments at home, was ordered by the House to be printed yesterday. I hope that this also will be in the hands of Members before Monday next, when my hon. Friend will be prepared to give any more detailed information that may be desired.

MR. FORWOOD: Will Vote 8 be the first one on Monday?

SIR U. KAY-SHUTTLEWORTH: Yes; the Shipbuilding Vote will be put down first.

MR. HANBURY: And in what order will the others be taken?

SIR U. KAY-SHUTTLEWORTH: In the regular order.

#### CRANE ACCIDENTS.

MR. YERBURGH (Chester): I beg to ask the Secretary of State for the Home Department whether he can give the number of accidents that have been caused since 1st January, 1892, by the breakage of chains in mines, quarries, and factories, and on railways, canals, and all other places where cranes are used?

MR. ASQUITH: The Inspectors of Mines state that no fatal accidents from the above cause have been reported to them during 1892 either as regards mines or quarries. The Chief Inspector of Factories has no available figures on the subject; but he declares that such accidents from the breaking of crane-chains in factories, as the Factory Acts require to be reported, are very rare. The Board of Trade state that they are unable as regards railways to give details of accidents from the breakage of crane-chains as distinguished from other accidents. As regards wharves and quays, there is no statutory obligation under which accidents occurring there must be reported to a Government Department. The Government have introduced a Bill—the Notice of Accidents Bill—which would impose such obligation, but it has not yet been read a second time.

#### HEREFORD POSTAL QUESTION.

MR. RADCLIFFE COOKE (Hereford): I beg to ask the Postmaster General whether he lately received a Memorial, signed by 300 residents in

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Hereford, asking that the sub-post office, situated in premises known as the Bartonsham Stores, occupied by Messrs. Reynolds and Phillips, should not be removed elsewhere; whether he is aware that the Memorialists comprised 90 per cent. of the residents in the district of Bartonsham; and whether, notwithstanding the wishes of so large a proportion of the residents, he has refused to accede to the prayer of the Memorialists, and has removed, or is about to remove, the said sub-post office to a less convenient situation in Green Street?

MR. A. MORLEY: I have received and carefully considered the Memorial referred to by the hon. Member. The person who has been nominated by the Treasury as sub-Postmaster at Green Street, Hereford, resides in the same street as the late sub-Postmaster, and not more than 80 yards away, and he will afford satisfactory accommodation for the public. Under these circumstances, I should not be justified in disturbing his appointment.

MR. RADCLIFFE COOKE: Was the removal of the post office decided upon by reason of any allegation of inconvenience?

MR. A. MORLEY: The Postmaster nominated proposed to carry on the postal business in his own shop, and the Department came to the conclusion it was a suitable place.

MR. RADCLIFFE COOKE: Before any nomination was made, did the right hon. Gentleman receive a Memorial asking that any change should be made?

MR. A. MORLEY: I think the nomination was made by the Treasury before any representations reached me. I cannot disturb the present practice.

#### BOMBARDING CRANMERE POOL.

MR. PICKERSGILL: I beg to ask the Secretary of State for War whether his attention has been called to a letter in *The Daily News* of 23rd instant, signed J. A. J. Brindley, in which the writer states that a few days ago Cranmere Pool, a portion of Dartmoor much frequented by tourists and others, was for the space of half an hour bombarded with shells by 18 guns, without any notice being given or precautions taken for the safety of the public; and whether he will cause inquiry to be made into the truth of these allegations?

Perhaps I may be permitted to add that in *The Daily News* to-day is another signed letter, the writer of which says that proper precautions were taken by the military on the Okehampton side. The writer of the original letter, it appeared, approached the Pool from the other side.

**\*MR. CAMPBELL-BANNERMAN :** A full Report has been called for from the Local Authorities. All at present known is that the position by Cranmere Pool was, on the 18th instant, the object of fire; that notice of this was given in the local papers, and that steps were taken to warn off the public.

#### THE MILITARY AND THE LABOUR DISPUTE IN SOUTH WALES.

**MR. KEIR HARDIE :** I beg to ask the Secretary of State for War whether his attention has been called to the statement that the officers in charge of the troops in South Wales have met in consultation with the Emergency Committee of the mine-owners as to the most effective method of disposing of their forces; whether the officers in command of the soldiers in South Wales are authorised to consult with the Emergency Committee of the mine-owners, and not with the Magistrates; whether the Secretary of the Mine-owners' Emergency Committee is allowed to accompany the General in command while disposing of his forces; whether he is aware that the General in command of the troops received an address of thanks from the mine-owners of South Wales, and stated, in reply thereto, that he would send more soldiers into the district, if necessary; and whether it was in order for the General to receive such resolution of thanks, and make such promise in reply?

**\*MR. CAMPBELL-BANNERMAN :** The officers in command of troops are only authorised to confer with the Magistrates and local Civil Authorities, and I have no reason to believe that there has been any departure from the usual practice; but it is natural that an officer should obtain all information, from whatever source, which would help him in discharging his duty. Before the General arrived the disposition of the troops had been already arranged. In visiting the troops he was accompanied by the Chief Constable and by Major

Williams, of the Monmouth Volunteer Artillery, a local Magistrate. Whether Major Williams is connected with the Mine-owners' Committee I am not aware. With regard to paragraph 4, I may quote the words of the General, who says—

“ I may have stated in the course of a private conversation with one or two gentlemen who came to see me at my hotel to explain the situation, and who I understood were local Magistrates, that I was ready to comply with legal requisitions for more troops, if, after my inspection, I found they were required to maintain order.”

We have no Report as to any address or resolution of thanks.

**MR. KEIR HARDIE :** I beg to ask the Secretary of State for the Home Department whether any disturbance occurred in South Wales which the local police were unable to cope with; and whether the services of the troops have been required since their introduction into South Wales; and, if not, whether he will order their immediate withdrawal, or cause an independent inquiry to be made as to the justification for their continued presence there?

**MR. A. WILLIAMS (Glamorgan, S.):** I beg, at the same time, to ask whether all cause for alarm has now completely disappeared; and whether the Home Secretary will withdraw the troops which have been despatched to the colliery districts of South Wales?

**MR. ASQUITH :** The duty of the Local Authorities is not merely to suppress but to prevent disturbance, and the despatch of troops was not sanctioned until the authorities had endeavoured and failed to supplement the local police by drafts from other police forces. There has been, I am glad to say, no collision between the soldiers and any part of the population. I am satisfied that the troops have been handled with great discretion, and that they have rendered valuable service in the protection of person and property. No one is more anxious than I am to see the troops withdrawn, and I have no reason to doubt that the Local Authorities share my wish. I am in constant communication with the Chief Constables of Monmouthshire and Glamorganshire, and I am glad to say that the intelligence received during the last two days has been more reassuring, but, though both districts are quieting down, I cannot yet say that all

cause for apprehension has been removed. There will be no avoidable delay in withdrawing the military force as soon as the necessity which led to its introduction has ceased.

MR. A. WILLIAMS: Will the right hon. Gentleman put himself in communication with the representatives of the men, among whom is my hon. Friend the Member for Rhondda (Mr. W. Abraham), so as to be able to ascertain whether, in their opinion, there was any continued necessity for the troops remaining in the district?

MR. ASQUITH: It is obvious I could not do that. If I were to put myself in communication with the men I should have to put myself in communication with both parties, and also with the employers. The only safe course to adopt is the course which has been adopted in this case as in all others—namely, for the Central Authorities to put themselves in communication with the Local Authorities, including the Chief Constable.

MR. A. WILLIAMS: I am afraid I have not made myself clearly understood. In instructing the Chief Constable, who I understand is responsible for the military being in the county, and who is evidently in communication with the Coalowners' Association, will the right hon. Gentleman ask him to take care also to obtain the opinion of the representatives of the men?

MR. ASQUITH: I have no reason to doubt, from the communications which have reached me, that the Chief Constables of both these counties have obtained their information from all available sources, and that they do not go to one side more than the other.

MR. A. WILLIAMS: Is the right hon. Gentleman aware that at the meeting on Wednesday of the Sliding Scale Committee, of which my hon. Friend (Mr. Abrahams) is a member, a resolution was passed in which they said they informed the employers on Saturday that they regretted that the employers had thought it necessary to resort to extreme measures. Does not my hon. Friend represent the men who are not on strike?

MR. ASQUITH: I am not aware of that resolution; I have no doubt the hon. Gentleman does represent these men; but, as I have already stated, the

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troops were sent not upon the requisition of the employers; and so far as I am concerned, I have no more to do with the wishes of the employers than with the wishes of the men.

MR. BURNIE (Swansea): May I ask whether 100 cavalry have been sent to Swansea, notwithstanding the objection of the Mayor?

MR. ASQUITH: I saw a statement that a certain number of cavalry were being sent to Swansea, but I understand it was on the requisition of the local Magistrates.

MR. A. WILLIAMS: But is the right hon. Gentleman aware that *The Pall Mall Gazette* states that the Mayor of Swansea has expressed a strong feeling of indignation that the military were sent to Swansea, and that they were sent without his knowledge, and that he considered he could maintain public peace and order without their assistance?

MR. ASQUITH: I have not seen the statement referred to; but I must point out that the Mayor, whose opinion is entitled to the greatest weight, is only one of the borough Magistrates, and, as I understand, the requisition proceeded from the Borough Bench as a whole.

MR. A. WILLIAMS: Is it not the fact that, under the Riot Act, the Mayor of the borough is specifically mentioned as the person responsible for calling out the military?

MR. ASQUITH: That may be so.

#### SOUTH DUBLIN UNION.

MR. FIELD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the fact that the Fair Wages Resolution is not carried into practical effect by the Guardians of the South Dublin Union; and whether there is any objection to allow those who desire it out of the 1,767 men and women inmates over 60 years of age a small weekly allowance of tobacco or snuff?

MR. J. MORLEY: The Resolution of the House on the subject of fair wages is clearly not applicable to Boards of Guardians. I am glad to say, however, that several Boards of Guardians in England are acting upon it. In reply to the second portion of the question, the Guardians have already power to make an allowance of tobacco to workhouse inmates on the medical officer's



advice. This plan has been found to work very satisfactorily, and the Local Government Board see no reason for making a departure from it in the case of the South Dublin Union.

\*SIR C. W. DILKE: As a Circular was issued to English Boards of Guardians freeing their hands in the direction of allowing tobacco and snuff to aged paupers, will the right hon. Gentleman issue a similar one in Ireland?

MR. J. MORLEY: I will consider that.

#### THE IRISH ORDNANCE SURVEY.

MR. FIELD: I beg to ask the Secretary of State for War whether he is aware that the Fair Wages Resolution is not carried into effect in the Irish branch of the Ordnance Survey at Mountjoy Barracks, Dublin; whether there is an undue proportion employed of boy labour to skilled hands, and what are their terms of employment; and when is it expected that the 25-inch scale of the Irish Survey will be completed?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden): The Resolution to which my hon. Friend refers does not apply to the members of the Ordnance Survey staff in Dublin, inasmuch as they are in the service of the Government itself, and enjoy many privileges which must be taken into account in comparing their position with that of persons doing similar work in private employ. I have no reason, however, to believe that such a comparison, even if wages alone are taken into account, would be other than favourable to those engaged on the Survey, and I may refer my hon. Friend to the conclusions arrived at by the Departmental Committee of 1891—a copy of whose Report was laid on the Table. The proportion of boy labour to skilled hands is not greater than is consistent with the nature of the work to be done. Speaking generally, the boys are paid at the rate of 6s. a week at about 14 years of age and rise to about 15s. a week about the age of 18. The completion of the 25-inch survey of Ireland depends almost entirely upon the amount of money made available for the purpose by Parliament. The question is being fully considered by me, and I hope to submit certain pro-

posals to the Treasury in connection with the Estimates for 1894-5 which will secure the acceleration of the work.

MR. FIELD: Then are we to understand that the Government employs labour in the country which is not subject to the Fair Wages Resolution?

MR. H. GARDNER: No, Sir; and I have pointed out that the wages these men receive compare very favourably with the wages paid outside.

#### THE COOTEHILL DISTURBANCES.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland have any, and, if so, how many, persons been prosecuted in respect of the riotous proceedings at Lisnagoon, Cootehill, County Cavan, and with what result; and how, and from what fund, will the expense of the extra police employed in protecting labourers be defrayed?

MR. J. MORLEY: Nine persons were proceeded against for assaults on the police arising out of the recent disturbances at Lisnagoon. Of these, five were fined 10s. each, or seven days' imprisonment in default of payment of the fine; one was fined in a similar amount on two different charges; one case was adjourned; and two cases were dismissed. The police employed in the locality in protecting the labourers were engaged in this duty from the 3rd to the 17th instant, and on the latter date returned to their stations in the county. No extra charge will fall on the county in respect of the temporary employment of this protection force.

MR. DANE: Then how will the expense of the extra police be paid?

MR. J. MORLEY: I am not sure that there will be any extra expense.

#### THE OUTRAGE ON MR. WELDON MOLONY.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Weldon C. Molony, who was fired at and dangerously wounded on 1st June last near Eunis, has been refused payment of his salary as Registrar of the County Court, Tipperary, although his absence from duty arose from no fault of his own; and whether this action has been taken with the authority of the

Government; and if there is any precedent for it?

MR. J. MORLEY: I am informed by the Treasury Remembrancer in Ireland, who is Accounting officer of the County Courts Vote, that no claim has been made by Mr. Molony for his services as Registrar of the County Court Judge of Tipperary since June 1 last.

MR. T. W. RUSSELL: If I get an opportunity I shall call attention to this matter on the Estimates. My information does not agree with that of the right hon. Gentleman.

MR. J. MORLEY: I think the hon. Member is referring to an application which has nothing to do with the question.

MR. ROSS (Londonderry): Is it intended to pay this gentleman's expenses in the same way as was done in another case by the last Liberal Government?

MR. J. MORLEY: I believe in the case referred to by the hon. Member a medical fee of 100 guineas was paid. If any claim is made in this case it will be carefully considered.

DR. KENNY (Dublin, College Green): I hope such a scandal of paying an enormous fee will not be perpetrated again.

MR. T. W. RUSSELL: Has the salary due to Mr. Molony as Registrar of the County Court been paid?

MR. J. MORLEY: I cannot say; but I will inquire. It does not arise out of the question on the Paper.

#### INDUSTRIAL EDUCATION IN IRELAND

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the industrial rule of the National Board of Education is compulsory or optional; and if managers desiring their schools to be exempt from the rule are liable to have it forced upon them by the Board?

MR. J. MORLEY: The Commissioners of National Education report that the rule determining instruction in the new industrial programme is not absolute. No manager who is able, giving due notice, to assign a satisfactory reason for having his school exempted, is refused. The number of schools in which the Commissioners for various reasons assigned by managers have dispensed with the alternative scheme for sixth-class girls is very considerable.

*Mr. T. W. Russell*

#### BAGOT STREET REPAIRING WORKS, BIRMINGHAM.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the Secretary of State for War whether he is making arrangements for the sale of the repairing works, Bagot Street, Birmingham?

MR. WOODALL: The right hon. Member is aware that the continued use of Bagot Street as a repairing factory has only been sanctioned for the current year; but the changes that may be necessary, in the event of its being closed, are still under consideration, and there is no present intention of offering the property for sale.

MR. JESSE COLLINGS: May I ask the right hon. Gentleman what arrangements can be made, when the Bagot Street Factory is closed, for carrying on the work of repairing now done there?

MR. WOODALL: The right hon. Gentleman wants me to anticipate a decision which I have told him has not yet been arrived at. Repairing work will undoubtedly be continued in Birmingham, even if the Bagot Street Factory is closed.

MR. JESSE COLLINGS: This is a matter of great interest and importance to my constituents; and I want to ask whether he will take it from me that it has been decided to close Bagot Street works at an early date?

MR. WOODALL: No absolute decision has been arrived at; but I may remind the right hon. Gentleman of what he knows perfectly well—that Sparkbrook Factory was acquired many years ago with the intention of superseding the Bagot Street Factory, but that up to the present the Treasury have allowed the latter to go on working. It is only fair to say that the amount of work now required to be done does not justify the continuance of two factories.

MR. JESSE COLLINGS: I gather from the answer that the Sparkbrook Factory is to be turned into a repairing shop in place of the Bagot Street Factory, and that it will be discontinued as a manufacturing establishment. In that case, will the hon. Gentleman say what is to become of the manufacturing machinery at Sparkbrook?

MR. WOODALL: My right hon. Friend is premature in supposing that any such decision has been arrived at. I shall be glad to confer with him, if he will give me an opportunity, as to what is most expedient. There is no intention to dismantle Sparkbrook, although it may be desirable to continue there the repairs now done at Bagot Street.

#### THE IRISH PRESBYTERIAN ADDRESS ON HOME RULE.

MR. W. JOHNSTON: I beg to ask the First Lord of the Treasury if he has seen a letter signed "John Wilson, Carrickfergus" in *The Times* of Wednesday, 23rd instant, in which it is asserted that the so-called Presbyterian Petition or Address to the Prime Minister was not exclusively signed by Presbyterians; is he aware that when the Petition was brought into a family whose head was a Home Ruler, all the family who could write, no matter how young, signed it also; and whether he will refer it to the Committee on Petitions of the House of Commons to examine and report on the signatures?

MR. ROSS: Is there any objection to publishing the names of the alleged signatories who have not expressly requested that their names shall be concealed?

MR. MCCARTAN (Down, S.): Is the right hon. Gentleman aware that a large number of Ulster Presbyterians in avowed sympathy with the Irish policy of the Government had no opportunity of signing this declaration? Has his attention been called to a letter from a Presbyterian Liberal published in *The Belfast Northern Whig*, in which the writer states that he is a Presbyterian; that he would have been pleased to sign the Address had he known it was in contemplation, and would have undertaken to procure within one hour the signatures of at least a dozen Presbyterian heads of families in his town?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): In reply to the first paragraph of the question, I am not aware whether any and what religious test was employed to ascertain whether these gentlemen were Presbyterians or not, but I doubt whether there was much inducement used to those who were not Presbyterians to sign and assume the

character for the purpose, considering the sentiments supposed to prevail in that portion of the country. With regard to the second paragraph, I do not read the letter as the hon. Member has read it; and as to the third paragraph, I apprehend the Committee on Petitions has no power whatever to investigate these matters. If I were to refer the Paper to them I should feel myself to be guilty of a positive impertinence. I am not prepared to undertake the investigation of the separate wishes and opinions of the 3,500 persons who signed the Petition. It is impossible for me to enter into the investigation of minute particulars, but I have the utmost confidence not only in the good faith but in the prudence and discretion of those who signed the letter to me, and made themselves responsible for it, so far as I am capable of forming a decision on the subject. Further than that I cannot go, and I must leave the matter to be fought out between the respective Parties outside the walls of this House.

#### THE LAND TRANSFER BILL.

MR. KENYON (Denbigh, &c.): I beg to ask the First Lord of the Treasury when the Land Transfer Bill is likely to be proceeded with?

MR. W. E. GLADSTONE: The House is aware that this Bill stands for Second Reading to-night, and, considering the remarkable concurrence of opinion among many important authorities both in this House and in the other House, I hope it will be allowed to pass through the stage of Second Reading. The hon. Member is well aware that the mortgages on the time of the House at the present moment are so heavy that we could not, without causing general inconvenience and dissatisfaction, displace the appointed business during the hours at the disposal of the Government. If the Bill is allowed to pass its Second Reading, as I sincerely hope it will, it would be well worth considering whether we might not secure a discussion of its principles without delay by referring it to the Grand Committee on Law.

#### WELSH TITHE DISTRAINTS.

MR. GRIFFITH - BOSCAWEN (Kent, Tunbridge): I beg to ask the Secretary of State for the Home Department whether he is aware that at the

meeting of the Cardiganshire Joint Standing Committee, held on August 10, at Aberayron, his letter to the Chief Constable, pointing out that the County Court bailiff was insufficiently protected on May 5, was not mentioned by the Chief Constable in his Report, and only produced on the demand of the Chairman of Quarter Sessions; that the Chairman of Quarter Sessions proposed two motions to the effect that the Chief Constable be ordered in all cases where the police were engaged in protecting the Sheriff's officers when carrying out the orders of any Court to employ such number of constables as may be necessary to ensure the proper protection of the Sheriff's officers, and the due execution of such orders; and that any existing orders or instructions of the Committee to the Chief Constable in any way repugnant to this order be rescinded, but they were lost by the votes of the representatives of the County Council, every Justice voting for them; whether he is aware that two of these County Councillors are also members of the Anti-tithe Committee; and whether he now intends to take any steps to get the intention of his letter carried out, and the law enforced, and, if so, if he will state what steps?

MR. ASQUITH: I am informed that my letter, to which the hon. Member refers, was not mentioned by the Chief Constable in his Report, but was produced and read on the Chairman of Quarter Sessions asking if it had been received. It is also a fact that the Chairman of Quarter Sessions gave notice of the two motions referred to by the hon. Member, but on the first being defeated the second was not moved. The representatives of the Quarter Sessions, of whom five were present, all voted in favour of the motion, and the County Council representatives, 12 in number, who appear to have stated that they thought the motion unnecessary, voted against it. I have been informed (but I have no means of verifying the information) that one, and probably two, of these County Councillors are members of the Anti-Tithe Committee. The Chief Constable wrote to me, in reply to my letter, undertaking to give adequate police protection to the bailiff, and to prevent a repetition of such an assault as was committed on the 5th of May. No facts have

been brought to my knowledge which would lead me to suppose that the Chief Constable has failed, or will fail, to carry out the undertaking so given. I must express my hope that in so doing he will receive the co-operation and support of the Standing Joint Committee, who are responsible for the administration of the local police.

MR. GRIFFITH-BOSCAWEN: Is the right hon. Gentleman aware that in 1891 the Standing Committee passed a resolution instructing the Chief Constable that not more than three policemen were to be employed at tithe sales or distraints. If so, how is it possible, now the Committee have refused to repeal that instruction, to afford adequate protection?

MR. ASQUITH: This is the first I have heard of that instruction.

#### THE CORDITE DISPUTE.

MR. HANBURY: I beg to ask the Secretary of State for War who were the members of the Explosives Committee other than Sir F. Abel and Professor Dewar; in how many and which foreign countries have Sir F. Abel and Professor Dewar, or either of them taken out foreign patents for cordite, and on what dates in each case; what was the date of the assignment to other persons of each of such patents; to what official of the War Office did they or either of them communicate the fact of having taken out such patents, and on what date or dates, and by what method; and when did this information formally reach the Secretary of State, and by what method?

\*MR. CAMPBELL-BANNERMAN: In answer to the first paragraph, Dr. Dupré, F.R.S., was the third member of the Committee, and Captain Thompson, R.A., was Secretary. As to the subject of paragraphs 2 and 3, we have, as I have already stated, no information. With regard to numbers 4 and 5, there is no record of any formal communication of the fact that foreign patents were taken out, but the assignment of these patents was, as I informed the hon. Member, intimated to the Director of Artillery on March 25, 1891, by letter.

MR. HANBURY: When was the intimation conveyed to the Secretary of State for War?

*Mr. Griffith-Boscawen*



**\*MR. CAMPBELL-BANNERMAN :** If the hon. Member means the Secretary of State for War personally, I cannot tell him. He probably heard of it in conversation with the Director General of Artillery. If the hon. Member merely means official conveyance, then the imparting of the information to the Director General of Artillery would be equivalent to giving it to the Secretary of State for War.

**MR. HANBURY :** Does the right hon. Gentleman say that information in regard to the foreign patents was not given to the War Office until two years after they had been taken out? And was the late Financial Secretary to the War Office correct when he said that the Director General of Artillery did not convey it to the Secretary of State for War till a further year had elapsed?

**MR. CAMPBELL-BANNERMAN :** There is no official record. I can only judge by the Papers, and I cannot tell when the Secretary of State was personally informed of the assignment, as it is not alluded to in any official document at the War Office.

**MR. HANBURY :** I beg to ask the Secretary of State for War, to what Military Authorities, if any, did Sir F. Abel and Professor Dewar, or the Explosives Committee, submit the result of their trials of various explosives, and what Military Authority decided that cordite was distinctly superior to the other explosives, and thereupon recommended it to the Secretary of State for adoption; did such or any Military Authorities investigate the other explosives independently of Sir F. Abel and Professor Dewar before giving their decision; on what date was it finally decided to adopt cordite into the Service; and on what date did Messrs. Abel, Dewar, and Anderson apply for a patent for machinery for its manufacture?

**\*MR. CAMPBELL-BANNERMAN :** The results of the trials were reported by the Committee to the Director of Artillery, who submitted his recommendation on the subject through the Adjutant General to His Royal Highness the Commander-in-Chief, and the Secretary of State approved cordite for manufacture and for further experiments on November 14, 1890. The Reports submitted by the Committee embraced all the ex-

plosives under competition, and the Military Authorities considered that no further investigation was necessary, except as to cordite. Subsequently to this approval of cordite, it underwent further tests in various climates and under varying conditions. The results of these being satisfactory, it was finally and formally adopted as a Service store in May, 1893. The date stated by the hon. Member on the 15th instant as that on which the patent for machinery was taken out—namely, July 22, 1889—is correct.

#### FAILURE OF THE CHELSEA WATER SUPPLY.

**MR. FISHER (Fulham) :** I beg to ask the President of the Local Government Board whether his attention has been directed to the failure (owing to an accident) of the Chelsea Water Company to supply water during 48 hours to the inhabitants of Fulham and to the inadequacy of the notice of such accident given by the company; and whether, looking to the extreme risk, through the bursting of boilers and otherwise, which is incurred by the inhabitants under such circumstances, he will direct an inquiry to be held into the cause of the accident and the nature of the notice given to those affected by it, with the view of pressing upon the Water Companies the best means of avoiding such accidents in future, or, in case of their occurrence, the speediest and most effective methods of warning the inhabitants whose supply is temporarily cut off?

**MR. H. H. FOWLER :** A communication was addressed by the Local Government Board to the Chelsea Water Company with reference to the temporary failure, owing to an accident, of the water supply to Fulham. The secretary of the company furnished an explanation similar to that in the letter which he addressed to *The Times*. The serious difficulty occasioned by the failure of the supply is much to be regretted. I do not think that any practical advantage would result from such an inquiry as is suggested.

#### THE AMERICAN MAIL SERVICE.

**MR. MAURICE HEALY (Cork) :** I beg to ask the Postmaster General whether he is aware that on the arrival of the *Majestic* at Queenstown on Tuesday evening last, carrying American

mails, the mails had to be taken on to Liverpool, the ordinary train having left, and there being no special service; whether, if there had been a special service, letters could have been replied to by the mail leaving Queenstown on Thursday; and whether this was possible after the delivery of the mails through Liverpool?

MR. A. MORLEY: The *Majestic* did not bring full mails for the United Kingdom, but only mails for Ireland and such correspondence for London and other parts as had been addressed specially to be sent by the Queenstown route. This, therefore, was not a case in which the through special service to London would have been used. In addition to certain closed mails for through conveyance to the Continent, the *Majestic* only brought for delivery or treatment in London 10 small bags containing about 2,500 letters.

MR. M. HEALY: Can the right hon. Gentleman say whether the *Majestic* brought mails for Lancashire and North of England and Scotland other than those mails specially addressed?

MR. A. MORLEY: She brought 151 bags of mails altogether—91 for Ireland, which were landed at Queenstown, 60 bags which were carried on to Liverpool, and 36 bags which were dropped there for delivery or direct despatch. There were 24 bags, including some closed mails for the Continent, and a number of specially addressed letters which were brought on to London for delivery.

MR. M. HEALY: I do not think the right hon. Gentleman has answered my question, which was whether the *Majestic* brought mails for the North of England other than mails specially addressed; and, if so, does that indicate any change in the practice of the United States Post Office?

MR. A. MORLEY: The *Majestic* only brought mails for Ireland not specially addressed. The mails for England were all specially addressed.

MR. MACARTNEY: Can the right hon. Gentleman state at what time the *Paris*, which left New York about an hour-and-a-half before the *Majestic*, arrived at Southampton, and how much time elapsed between the landing of the mails and their delivery?

MR. A. MORLEY: I cannot answer that question off-hand; but if the hon.

Gentleman desires to know I will endeavour to get the information.

MR. FIELD: Can the right hon. Gentleman say if the special service will be continued in future under the circumstances which gave rise to it?

MR. A. MORLEY: I have already stated that I hope in a very short time to make a statement on the subject.

#### THE BEHAR CADASTRAL SURVEY.

MR. KENYON: I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State has been drawn to a statement by the Judge of Patna, in a letter to *The Times* on the Behar Cadastral Survey, that in Behar the fields, each with its 12-inch separation from the next, are often not larger than a gentleman's drawing-room, and the farmer who holds 10 acres has to find his total from, it may be, 20 or 30 patches lying all over the country; whether the Report of the Sone Irrigation Survey shows that the actual cost of the Cadastral Survey of such holdings, with its record of rights, sometimes exceeds the fee-simple value of the land; and whether the Secretary of State will permit the Government of Bengal in such cases to make a compulsory survey at the costs of the landlords and tenants?

\*MR. G. RUSSELL: Yes; the attention of the Secretary of State has been directed to the letter written by Mr. Tweedie which appeared in *The Times* of the 19th August. My answer to the second and third questions is that the Secretary of State has not in his possession any evidence showing that in the Sone Canal District the cost of the Cadastral Survey will exceed the fee-simple value of the land.

MR. HENNIKER HEATON (Canterbury): May I ask the Under Secretary of State for India what would be the total cost of the Behar Cadastral Survey in its eight stages, as indicated in the notice issued by the Director of the Survey in February last, including the settlement of "fair rents" in the fifth stage of the Survey; whether this cost is to be defrayed by fresh taxation on the land of Bengal; what will be the annual cost of the maintenance of the record of right; from what source will this cost be defrayed; and will any legislation on the subject be submitted to the Legisla-

*Mr. Maurice Healy*

tive Council of the Viceroy or the Legislative Council of Bengal, with permission to the official members to vote as they liked; whether the proposals of the Government of Bengal involve the abrogation or modification of the permanent settlement of Bengal; and will all the Papers be submitted to Parliament before the sanction of the Secretary of State was given?

\*MR. G. RUSSELL: The cost of the Behar Survey has been estimated at eight annas per acre. As at present arranged, a portion of the expense will fall upon the landholder and the ryot, and a part will be defrayed by the State. The cost of maintaining the record of right would be about three-quarters of an anna per rupee of rent, an amount which would be defrayed by a cess. The Survey of Behar is an outcome of the Bengal Tenancy Act of 1885, and any questions respecting the permanent settlement must be considered to have been determined by the passing of this latter Act. The Secretary of State has already given his sanction to the survey; but he has inquired whether further Papers can be presented.

#### BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (Manchester, E.): May I ask the Prime Minister whether after the proceedings to-morrow night on the Government of Ireland Bill are closed he will move the Adjournment of the House? It would be of convenience to many hon. Members who desire to go into the country to know.

MR. W. E. GLADSTONE: Yes, Sir; I think it would be quite proper that I should do so.

#### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL.

(No. 428.)

#### CONSIDERATION. [THIRTEENTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed [23rd August] on Consideration of the Bill as amended.

And which Amendment was, in page 3, line 38, after the last Amendment, to insert the words—

"(3) The Lord Lieutenant shall not do or omit to do any act upon the advice of the Executive Committee, or otherwise than as representing Her Majesty—

(a) In respect of any of the matters upon which the Irish Legislature are disabled from legislating under Section 3 of this Act; nor

(b) Whereby any person or corporation would be injuriously affected in respect of any of the matters in regard to which they are protected as against legislation by the Irish Legislature under Section 4 of this Act;

and it shall be unlawful for any Executive officer in Ireland, except by the direction of the Lord Lieutenant representing Her Majesty, to do or omit to do any such act."—(Viscount Cranborne.)

Question again proposed, "That those words be there inserted."

Debate resumed.

MR. WYNDHAM (Dover) said, that last night he founded the hope that the Government would see their way to accept, at least in part, the Amendment of his noble Friend on the speech of the hon. Member for North Kerry. To-day he returned to the charge fortified by a declaration of the Chancellor of the Duchy—a declaration of such importance that it confirmed his hope even to the point of anticipating that the Government would not only accept part, but would accept the whole, of the Amendment before the House. But before he read the words of the Chancellor of the Duchy he should like to dwell upon the conditions and the circumstances under which they were delivered, for those were hardly less significant than the declaration made by the right hon. Gentleman. He did not know whether the House recollected that they approached for the first time the 5th clause at half-past 12 o'clock on a Wednesday in June, and that at half-past 5 on that day notice was given of the first Closure Resolution. The first hour of that day—the 28th of June—was occupied in discussing an Amendment which the Government accepted, after challenging a Division, an action which the Opposition not uncharitably attributed to the fact that the Government were at that moment in a minority in the House. They then went on to consider an Amendment kindred to the one now before the House, but covering a wider field, which had been moved by the hon. Member for Preston. The hon. Member wished

that the Lord Lieutenant should act as the Representative of Her Majesty not only within the limited sphere contemplated by the Amendment of his noble Friend, but in all matters and at all times. That Amendment was debated practically the rest of the day, and was only rejected by a majority of 29. The smaller contention of his noble Friend did not, therefore, come before the Committee. His noble Friend was treading on virgin ground, and laying before the Government a proposal to which the Opposition, on the whole, attached the very greatest importance. It was upon the large Amendment of the hon. Member for Preston laying down that the Lord Lieutenant should at all times act as the Representative of Her Majesty that the Chancellor of the Duchy made a memorable speech—memorable for its length, which might, perhaps, be justly attributed to the same cause which led the Government to accept the previous Amendment rather than accept defeat in the Division Lobbies; memorable for its interesting view of the Constitutions of Germany, the United States, and our Colonies; but in connection with the Amendment before the House, the speech was, perhaps, most memorable because of its conclusion. This was it—

“We consider—and this is my concluding answer to one of the complaints of my right hon. Friend—that the Executive will be subjected within the sphere of its action to exactly the same restrictions as are by Clauses 3 and 4 imposed as respects legislation on the Irish Legislature.”

That was precisely the object aimed at by his noble Friend; and all he had to do, he thought, in order to gain its acceptance at the hands of the Government, was to show that the Amendment attained that object, and no more than that object. Perhaps before he argued in favour of that contention he might be allowed to suggest a very slight verbal alteration in the Amendment, to which his noble Friend did not object. It was to leave out the words “upon the advice of the Executive Committee, or.” The Amendment would then run—

“The Lord Lieutenant shall not do or omit to do any act otherwise than as representing Her Majesty, &c.”

By leaving out the words he suggested all misconception would be avoided. Either these words had a definite Constitutional meaning, as argued by the

*Mr. Wyndham*

right hon. Gentleman the Member for Bury (Sir H. James)—that was to say, that if the Lord Lieutenant took the advice he must act upon it, or else call upon the Ministry to resign; and if the words bore that definite Constitutional meaning they were not needed there, because the phrase “as representing Her Majesty” covered the whole ground, by excluding the responsibility of the Irish Parliament, and substituting, in these particulars, the responsibility of the Imperial House of Commons. If, on the other hand, the opposite contention were true, that the phrase was a mere colloquial expression, and could be held to mean that the Lord Lieutenant would take counsel with his advisers in Ireland, then most certainly they would be mischievous. He chiefly wished to see the words eliminated because of the view taken yesterday by the Attorney General, who rightly said that it would be absurd to suppose that the Lord Lieutenant would act in a time of crisis without talking over the difficulty with the men best able to advise him on the state of Ireland. He should like to commend the Amendment to the examination of the Government in compartments. He did not think there should be any difficulty at all in accepting the Amendment down to the sub-section marked (a), which referred to matters excluded from the powers of the Irish Legislature under Clause 3. They had in favour of this part of the Amendment not only the support of the Chancellor of the Duchy, but the support in substance, if not in form, of the hon. Member for North Kerry.

MR. SEXTON (Kerry, N.): The hon. Member is altogether mistaken. I think it most inexpedient that the words should be inserted, because occasions may arise when the Imperial Government may think it well that the Lord Lieutenant should consult the Irish Government, and I said that the matter could be better dealt with in the instrument of delegation.

MR. WYNDHAM said, that explanation showed that the hon. Member for North Kerry was in favour of the first part of the Amendment, as he had said, in substance if not in form. The hon. Member, whilst agreeing that in the matters excluded under Clause 3 the Lord



Lieutenant should act as the Representative of Her Majesty, held that it should be laid down, not in the Bill, but in the instrument of delegation. The hon. Member differed, therefore, only on the question of form. But he submitted that those safeguards had not been introduced into the Bill in order to calm the fears and lull the suspicions of the hon. Member for North Kerry. They had been put in in order to allay the just fears and the reasonable suspicions of the loyal minority in Ireland, and, so far as important matters were concerned, of the British people; and, that being so, he thought that upon a mere question of form the wishes of the loyal minority and of the British people were to be consulted in preference to the wishes of the hon. Member for North Kerry. But he was not content to rest his argument on a mere question of form. There was much more than form in this matter. They all knew that this Bill would not pass into law; but, having once received the assent of the House of Commons, it would become, as regarded the relations between England and Ireland, an historic document of importance only less to that of the Act of Union. There were many provisions in the Bill to which the minority in this country and the majority in Ireland objected; there were many provisions to which the majority in Ireland and the minority in this country objected; but there were some few provisions upon which they had arrived, on the whole, at the same conclusion. He laid it down with great confidence that in the future neither Party would ever accept less than they received in this Bill. Arguments would be founded on the concessions in the Bill both by Nationalists and Loyalists. If that were so, and as the Chancellor of the Duchy and the hon. Member for North Kerry were willing to concede the principle that in all the excluded matters in Clause 3 the Lord Lieutenant should act as the Representative of Her Majesty, he did not see how the Government could refuse to allow that principle being enshrined in the Bill. In the future, if they were not allowed to enshrine this principle in the Bill, it would be said that as between England and Ireland the Lord Lieutenant was not to act as the Representative of Her Majesty's Government in all matters enumerated in Clause 3, but as the Representative of the

Irish Legislature. He now came to the second compartment of the Amendment marked (b). In that paragraph his noble Friend extended the limitation upon Executive action to the matters under Clause 4. Again, he could call the Chancellor of the Duchy as his witness, for the application of the principle of the right hon. Gentleman to Clause 4 would mean that the Executive would under Clause 4 be subjected to the same restrictions as were imposed upon the Legislature. But that was not in the Bill, and the hon. Member for Kerry was anxious that it should never be put into the Bill.

MR. SEXTON: My argument was that, whilst all the laws under Clause 3 would be Imperial, all the laws under Clause 4 would be Irish laws, but that the Irish Legislature must observe certain provisions in passing them; and that, therefore, in regard to Executive action arising out of Clause 4 Irish advice was necessary.

MR. WYNDHAM said, the hon. Member for North Kerry drew what he called a fundamental distinction between Clause 3 and Clause 4. Supposing the Government gave way on Clause 3, the hon. Member might object, but he would object not quite so much as were the Government to give way on Clause 4.

MR. SEXTON: Hear, hear!

MR. WYNDHAM said, that the hon. Member for North Kerry, dealing chiefly with the questions under Clause 4, drew a picture of an officer who trespassed within the powers under Clause 4 and was proceeded against. But any such officer would be no worse off than any other officer of the Royal Irish Constabulary under the 2nd sub-section of the 27th clause. Under Clause 27 the Lord Lieutenant would have control of the Constabulary, so long as the force existed, as the Representative of Her Majesty. The hon. Member for North Kerry had said that under Clause 4 there were not exceptions and restrictions, so much as principles which the law should not violate. He did not think that description was quite applicable to the policy of Clause 4. What principle was violated in establishing a religion or in endowing a denominational school? It was far more accurate to say that under Clause 4 legislation was not to pass certain

limits, and what his noble Friend urged on the acceptance of the House in the second part of the Amendment was that for any action outside those limits the Irish Executive should be responsible to this House, and not to the Irish House. Take some of the dangers guarded against by Clause 4—disabilities or privileges imposed on account of religious belief. Would anyone pretend that those dangers were not greater from Executive rather than from legislative action? The Opposition had been taunted with being distrustful and suspicious of the Irish House of Commons. But he, for one, would never believe that they would pass a law against Protestants. What was feared was that in the administration of the law men might be made to suffer, or might obtain benefits on account of religious beliefs. Was not that likely? Unless this Amendment were accepted the Lord Lieutenant would be the blind hand and instrument of the Irish Legislature placed between the two alternatives of accepting their advice or accepting their resignation, and that was not a position in which they could fairly place the Lord Lieutenant. If they put the Lord Lieutenant in that position, it would be found before very long that disabilities would be imposed and benefits conferred on account of religious beliefs in Ireland. At any rate, it did not lie in the mouth of right hon. Gentlemen opposite to say that this was unlikely. If they argued in the case of the Executive that those crimes and outrages were unlikely, then by that very argument they admitted that every outrage of tyranny and favouritism under the legislative province of the Bill was not only a possible but a probable consequence. If those dangers were unlikely, why, in Heaven's name, had they inserted Clauses 3 and 4? He believed the dangers were likely; but supposing they were fanciful and unfounded—mere phantoms bred in the horrors that haunted the gloom of a past religious and racial animosity. But the Government claimed to have redeemed and abolished that past by this policy of conciliation; and yet while endeavouring under Clauses 3 and 4 to allay that phantom, how could they object to insert provisions in the Bill against dangers much more substantial? He passed to the last compartment of his

*Mr. Wyndham*

noble Friend's Amendment, which laid down that it should

"Be unlawful for any Executive officer in Ireland, except by direction of the Lord Lieutenant representing Her Majesty, to do, or omit to do, any such act."

He would leave the arguments on that clause to lawyers, who were more able to deal with it than he, though he thought it was easy to show the necessity of such a provision. He would point out that under the 27th clause any Constabulary officer who went outside the law was proceeded against in a Court of Law, whether he was acting by orders of the Lord Lieutenant or not; and all that the Amendment would provide was that any official whatever within the sphere of this restriction who injuriously affected or conduced to injury against one of Her Majesty's subjects in Ireland should be amenable to the law just as a police constable was now. They were told by the Attorney General that the Lord Lieutenant must be allowed to have the advice of his Irish Ministers, and allowed to act with despatch. Both these advantages were left to the Lord Lieutenant under this Amendment. In times of crisis, or foreign invasion, or insurrection, or in any difficult problem arising out of the state of Ireland, he would act at once, should the necessity arise, on his own responsibility. If the Amendment were accepted in these matters alone, the Lord Lieutenant would be in the position of the Viceroy of India—that was to say, he would be responsible to and would be represented by a Minister in this House, and his action through that Minister would be open to their criticism. He would in the interest of the Amendment—to which they attached a great deal of importance—deprecate the attitude of suspicion so constantly taken up by the Government towards any suggestion coming from that (the Opposition) quarter of the House. They must surely by now be familiar with the aspect of their Amendments by the hundreds of them that had appeared, and yet they believed in every one of them there lurked some pitfall and some hidden trap. Whatever might be said of the merits or demerits of their opposition to this Bill, he thought they could not be accused of Machiavellian subtlety in their mode of attack, and least of all in the Amendment they were bringing for-

ward that afternoon, and yet the Government had to be soothed and coaxed like a shy horse before they could be induced to approach these subjects because of their suspicion and alarm. He could assure the Chief Secretary he would find in this Amendment no hidden trap, but merely a straightforward declaration of the principle already enunciated by the hon. Member for North Kerry and the Chancellor of the Duchy of Lancaster.

MR. W. AMBROSE (Middlesex, Harrow) desired to say a word upon this Amendment, because he could scarcely think it possible that the House would pass this 5th clause and deal with these enormous powers of the Executive without putting some sort of restriction upon the power of delegation and the powers which were thereby to be vested in the Irish Government. They had had various explanations as to what would be the effect of this Amendment. The Chief Secretary had given one to the effect that the Irish Government would be restricted in regard to the 3rd clause of it by the acceptance of the Amendment of the hon. Member for Preston. They had had another opinion from the Attorney General to the effect that the Lord Lieutenant might take the advice of the Irish Government upon these questions arising in Clauses 3 and 4, but that he would not be bound to act upon it. They had had an opinion from the hon. Member for North Kerry to the effect that the matters in Clause 3, being Imperial, would necessarily be outside the competence of the Irish Government, and they had the opinion of the Chancellor of the Duchy which had been read by the last speaker. He desired to point out that there was nothing in this Bill to justify any one of these opinions. Why? Because the House would perceive that the questions of the Executive which were to devolve upon the Irish Government were not laid down in this Bill at all, but were to be dealt with in a document not now before the House—namely, the instrument of delegation. It was the instrument of delegation which was to settle what were to be the powers of the Irish Executive. What was the House asked to do? The House was asked to give a letter of unlimited credit to the Government of the day in the framing of this instrument of delegation. They were asked to give a blank cheque, for whatever was included in the instru-

ment of delegation would be in the competence of the Irish Government, including every one of the matters in Clause 3, though it was Imperial, and every one of the matters in Clause 4. The question arose, would the House allow the matter to be left in that way? He could recognise the difficulty of framing and putting into the Bill the powers that were to be given to the Irish Government. He did not envy the gentleman who had to frame the instrument of delegation, because it was extremely difficult to say what matters should be included. The noble Lord in his Amendment had taken the simpler and easier course of saying what should not be included; and although the Amendment had been subjected to rather severe criticism on the part of the Attorney General, if the Government were to put on the Paper the subjects on which the Irish Government were to have power, such a proposal would be subjected to far more severe criticism than the present Amendment. If the Government found fault with the Amendment as it was, why did they not bring up one themselves? What he wished the House to understand was this: that upon this 5th clause—which was the *crux* of the Bill, which was more important than all the restrictions in the 3rd and 4th clause upon the powers of the Legislature put together—the House was asked to vote in the dark, to give unlimited power to the Government, and to have no voice whatever in the document which would ultimately settle these matters. One point was pretty clear in reference to this instrument of delegation; and that was that whatever would be included in that delegation would pass to the Irish Government; therefore, he assumed there would be a distinction in these matters which had not yet been adverted to. The Lord Lieutenant was to possess a double capacity. In one capacity he would be the Representative, not the Delegate, of the Imperial Government; he would act on behalf of Her Majesty, not as the Delegate, but as the Representative of Her Majesty. He presumed that where the Lord Lieutenant was to act as an Imperial officer representing Her Majesty and the British Ministers he would do so by virtue of Letters Patent; but whatever was included in the instrument of delegation would certainly pass to the Irish Government. He was of

opinion that the instrument of delegation would not be, and ought not to be, a personal matter at all. The instrument of delegation should be to the Lord Lieutenant as such, and be permanent in effect, so that there need be no difficulty on emergencies arising. He considered that if the Government were not prepared to say what powers they were going to delegate they ought to consent to an Amendment such as this saying, at all events, what should not pass to the Irish Government.

\*MR. BLAKE (Longford, S.) said, he might call attention again to a proposition which had been advanced more than once in reference to cognate questions, and that was that the method proposed by this Bill was a method which gave to this Parliament the greatest possible measure of power in respect of the subjects of the Amendment. It was a method which, by leaving the instrument of delegation to be prepared by the Government of this country — by the Imperial Government commanding the confidence of the people of this country, by the submission of that instrument to this Assembly, for its review, and its modification, to be moulded at its pleasure, not directly but indirectly through well-known methods by which the Imperial Parliament could exercise the supreme authority of advising as well as censuring — retained in their hands the greatest amount of power that they could possibly retain. The plan was advisable also, because it was not only in accordance with precedent, but was approved by experience. It was the method which they had adopted in the framing of other Constitutions; and they had acted upon that power which those Constitutions had given them, by, from time to time, moulding and changing the instrument of delegation, as experience indicated the advisability of such a change. If it was, as the hon. Member for Dover (Mr. Wyndham) had stated, the loyal minority and not the Nationalist majority that was to be consoled and fortified, whose nerves were to be strengthened and toned by the clauses that were to be put into the Bill, he maintained that the minority had a greater security under the system which confessedly left it in the hands of the Imperial Parliament to frame and mould, and alter the delegation from time to time, than they could obtain by any such effort

as was now being made in part and summarily to discharge a task which the hon. and learned Member for Harrow (Mr. Ambrose) rightly described as being an extremely difficult, and delicate, and complicated task. It was better to leave all at large, recognising — and that recognition was the only security for those of them who were to be almost excluded from the ultimate settlement of the question — recognising, as they had clearly recognised, the general principle upon which that delegation should be framed. That general principle unquestionably was that the Executive power should be commensurate with and complementary to the Legislative power in all matters in which they were conferring on the Irish Legislature legislative power, that they should make the Executive power efficient in purely Irish questions by permitting in these Executive action on the advice of those who were responsible to the Irish Legislature, while in all matters in which Imperial legislative power was retained they should retain the complementary and commensurate Executive power in their instrument of delegation by requiring that the Viceroy should act upon the instructions of the Imperial Government. If Irish Members spoke as they had spoken before, and as they would speak again should occasion require, of the views of the Irish Government being important views, they quite recognised the vital distinction between the technical phrase, advice, and the suggestion of those views, and so he would say with reference to the views of the Imperial Government. No lover of his country, no lover of the United Kingdom, no lover of Ireland, he thought, would omit for a moment from his mind the consideration that while it was vital on the one hand that the constitutional advice upon which action was to be taken should be the advice or instructions of the Imperial Government in Imperial affairs, and the advice of the Irish administration in Irish affairs, it was also most important, and they hoped and believed it would be the case, that due consideration would be given to all opinions, and that an effort would be made to rule both countries with the general consent, and to the common advantage of the people of both countries. He knew nothing more important to either an Irish or an Imperial Ministry than that they

*Mr. W. Ambrose*



should know informally what were the views of men who were responsible to the Irish people on all the questions which touched their interests as well as on Imperial interests. The utmost freedom of communication in that sense, the utmost facility for obtaining information, the freest use of those means, ought to be considered as one of the essential and elementary arts of Government; but consistently with that they should always recognise the fundamental Constitutional principle which he had advanced, that Executive action must be commensurate with and complementary to legislative power, and there a sharp line of distinction must be drawn. The general principle had been stated, but to enter fully into details was agreed to be impossible. The Amendment did not suggest that they should incorporate in the Bill a complete description of the whole delegation. Why, then, should they enter into it partially? Why not leave their hands absolutely free when they had an entire concurrence of opinion as to the general principle? Why not leave their hands perfectly free to apply that principle of the Bill, so that they might be able to mould and change the instrument of delegation from time to time as might be advisable? He should repeat what he had said before in the House—that if there were to be objection taken in any quarter of the House to the plan, he knew no quarter where it might be more reasonably taken than from the Irish Benches, because this power was to be exercised by the Imperial Government upon the responsibility of the Imperial Parliament, in which, out of 670 Members, Ireland would have only 80. But they did not object, for the reason that they believed in the equity and justice of the Imperial Parliament as to the method they would adopt in executing the provisions of this Act when once it had become law. They believed it would be carried out according to its spirit, and, so carrying it out, they (the Irish Members) were ready to trust them. The hon. Member for Harrow (Mr. Ambrose) said that while the instrument of delegation would be very difficult to draw up in full, yet it was very easy to draw it in part; and the hon. Member proposed that it should be, in fact, drawn in part by clauses in the Bill. But this was indefensible. The hon. Member went on to say that all the powers

contained in the instrument of delegation would be powers to be exercised on the advice of the Irish Government. He wholly differed from him. Clause 5 contemplated, and necessarily contemplated, an entirely different state of things. The whole Executive power in Ireland was to continue vested in Her Majesty the Queen; and whatever was done was to be done in her name, and the Lord Lieutenant was to exercise any prerogative or other Executive power of the Queen, the exercise of which might be delegated to him by Her Majesty. It was recognised as quite competent, and it would also be convenient, to delegate to a person on the spot some prerogatives of an Imperial character, and to delegate their exercise on Imperial instructions, or upon Imperial advice generally or specially. Therefore, this instrument of delegation must do what was done under other instruments of delegation. There might be two instruments if they pleased; but one, or more than one, must deal with prerogative or Executive powers, some of which the Lord Lieutenant should exercise upon Imperial instructions, and others of which he should exercise upon Irish advice. If he thought that this matter could be satisfactorily dealt with by any clause which could be put into the Bill at that or any other stage, he should feel no insuperable difficulty in attempting its consideration; but surely when they were told that there were a vast number of important matters, some absolutely new and untouched, which required to be dealt with, to propose to take up time in a discussion as to whether a provision should be inserted in respect of a matter which it was clear that they were keeping ample power to frame and mould according to their own will, was clearly to be described as nothing but a waste of time. The hon. Member for Harrow had suggested that the Government themselves should frame an Amendment. He not think the experience of the Treasury Bench with reference to the reception of Amendments which they had framed to meet the wishes of hon. Gentlemen opposite was at all calculated to induce them to again accept that task, particularly when they were of opinion that no Amendment at all was required, and that the method they had adopted was the best. As to the first part of the Amendment, it was already absolutely clear that

the advice or instruction must be Imperial advice or instruction. As to the second part of it, the subjects in respect of which there were instructions were obviously Irish subjects. No Act, however, could be passed by the Irish Legislature which should infringe the protection referred to in the clause ; and if any Act was passed which did infringe that protection, it would, of course, be so far as void as an Act infringing the provisions of the first part. The question whether an Act was void or not was properly left to the judicial power, and the question whether Executive action was sound or unsound would depend upon the question of the validity of the Act itself. But to say that any condition whereby any person should be injuriously affected in respect of matters in which he was protected was to be dealt with by the Viceroy only upon Imperial advice was to suggest what was an impossibility in the first place, because if the proposed Executive action was under a void law he could not perform it validly. If, however, they got over that position, they were lauded in this one—Who was to decide whether the action was in truth one whereby a person or Corporation would be injuriously affected ? Was the Lord Lieutenant to decide the question upon his own individual opinion, or, if not, upon whose opinion was he to act ? They had the preliminary question, was any person injuriously affected ? The advice given to the Lord Lieutenant would be given on the theory that the legislative Act was valid, and, therefore, it would be given on the theory that the whole matter was within the purview of the Irish Legislature, and who was to determine whether it was or was not ? The Courts, and the Courts alone, could determine that. As to the remaining provision, which made it unlawful for any Executive officer to act save under certain conditions, was every officer, from a bailiff upwards, to decide for himself whether any Act of the Irish Legislature affected any person injuriously, and whether he himself could act lawfully under such Act or not ? Was every such officer to find out for himself by which branch of his authority the Viceroy ordered him to act ? Was he to refuse obedience, instead of obeying, and trusting to his superior to protect him ? Really, it seemed to him that the Amendment was inartistically and

inadequately drawn, and was calculated to produce insurmountable confusion and to obscure the application of a plain, clear, and fundamental principle which the House, by the Bill as it stood, retained and maintained practically in its own hands.

MR. MATTHEWS (Birmingham, E.): I did not gather from the only speech we have heard from the Treasury Bench that the Government dissent from the principle of the Amendment. The principle of the Amendment is simply this : that the Irish Ministry ought not to be allowed to do by Executive action that which the Irish Legislature is forbidden to do by legislative action. As the Bill stands, it is perfectly clear, in my opinion, that the Irish Ministry will be able to do many of those things which the Irish Legislature is forbidden to do. I do not wish to take up time at any length, and I will cite two or three instances only as examples. You have, for instance, prohibited the Irish Legislature from making any law about treason-felony. I suppose there can be no question whatever that the Lord Lieutenant, whatever the form of the delegation, will have the prerogative of mercy entrusted to his exercise. As the Bill stands, you provide for a Privy Council and Executive Committee in the Government of Ireland. This Body is to advise the Lord Lieutenant, and, in the case of treason-felony, they may advise him to grant a pardon. That would practically be repealing the law of treason-felony just as if the Irish Legislature were to pass a repealing Act. What definition, therefore, are we to have—

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.) said, the definition was contained in the Bill.

MR. MATTHEWS : What definition are we to have of the manner in which the Lord Lieutenant must exercise his prerogative ? I think it is clear that the Lord Lieutenant must follow the advice of his Constitutional Ministers, or dismiss them. The Home Secretary advises Her Majesty now. If Her Majesty could not agree with the advice of the Home Secretary I should like to know how long he would feel himself bound to hold that office. If his advice were not followed he would have no alternative but to resign. If the Lord Lieutenant objects in Ireland, or does not feel dis-

posed to act on the advice of his Irish advisers, difficulties may arise, and what is then to become of the enforcement of the law of treason-felony? Another example: The Legislature is prohibited from passing a law regarding the country's relations with Foreign States. But what is to prevent the Irish Executive from advising the Lord Lieutenant to send an Envoy to France or to Rome? And the result of Executive action would be the same as if a law to the same effect had been passed. Again, the Legislature is forbidden to pass a law constituting Associations for learning and practising use of arms or of drilling for military purposes. But the Executive can permit, connive at, and encourage such Associations. Only one other example from Clause 4. The Legislature is prohibited from passing any law which would deny the equal protection of the law to any subject. But do you think the Lord Lieutenant may not be advised by the Irish Executive not to give police protection to the bailiff levying a distraint, or to the Sheriff executing a decree of ejectment? That would have just the same effect as if they were at liberty to pass a law for the non-payment of rent. It is manifest that under Clauses 3 and 4 there might be Executive action by the Irish Ministers by which the same results might be effected as by the laws which the Irish Legislature are forbidden to pass. The Attorney General says that the instrument of delegation will put all this right. I say that is a totally impracticable and false theory. I have submitted the example of a case of treason-felony. Is the delegation to say that the prerogative of mercy is delegated to the Lord Lieutenant, except in cases of treason and treason-felony? The result of that would be that the prerogative of mercy in Ireland would be exercised by the English Home Secretary, and, to quote the phrase that we have heard from those (the Government) Benches, the law would then "come in a foreign garb." In that case two distinct Executives would be established in Ireland; and it would be necessary to insert provisions in the Bill to compel the Governors of gaols, Commissioners of Police, and authorities of every sort in Ireland to obey the orders of the English Home Secretary. You are at present having a limited delegation, and a limited delegation means that the Lord Lieutenant is

absolutely void of Executive power on the prohibited subjects. The void must be filled by someone, and that someone would be the Home Secretary in England. Such an instrument is positively impossible. It is an impracticable system. In practice every Executive act in Ireland must, perforce, be performed through the Lord Lieutenant; and the practical question raised by the Amendment is—"Who shall direct the Lord Lieutenant"? By doing as I have said you set up two distinct Executives. The question is, Who shall direct the Lord Lieutenant. He is the Representative of the Queen in Ireland, and he must be advised in these matters. We suggest that upon matters purely Irish the Lord Lieutenant should act upon the advice of the Irish Ministry, and upon the matters reserved by the Bill he should act on the advice of the Imperial Ministry. Surely, you are not seriously going to ask that the Home Secretary should be consulted in all cases—such questions as the control of the Constabulary, and many others? Although we have the greatest confidence in the intention of the Government with regard to the delegation, the House can have no assurance, unless by a provision inserted in the Bill, as to what will be the conduct of future Governments in drawing up delegations. You do not know what inclination future Governments may have, or what influence Party interests may have, upon the decision of the moment. It seems to me obvious that, in laying down the outline of this new Constitution, you should impose some restriction upon the Irish Executive just as you do on the Irish Legislature. If you do not intend that the Irish Executive should do those things which the Irish Legislature is forbidden to do, why not make it plain? Why relegate it to the delegation, the limitation of which must be practically impossible, and must result in the establishment of two Executives side by side—one of them English, and the other Irish? The Chancellor of the Duchy (Mr. Bryce) has declared in the course of the Debates that the Government are anxious that the Executive in Ireland should be subject to the same restrictions as the Legislature. That being so, I claim his vote for this Amendment. This is simply a difference in words; the proposal is

exactly what he expressed in that passage of his speech on the subject. All the practical Executive functions of the Government must be delegated; and the only effective limitation is to repeat Clauses 3 and 4 in the instrument. I think the reasons are conclusive in favour of the Amendment. I should be quite prepared to see it modified, and I would not object to striking out the last paragraph, as referring only to matters of detail, but otherwise I think it meets the case.

\*THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): Sir, the Debate has contributed no argument to shake the opinion to which the Government gave expression yesterday through the mouth of the Attorney General. The Attorney General put the reasons of the Government for objecting to the Amendment quite clearly and sufficiently for all purposes, and nothing has been said to make us vary from the opinions then expressed. The Amendment consists of three parts, and in this case, as in most others, directly the Amendment was introduced an apology was made for some part of it. Hon. Gentlemen opposite say—"We like the general principle; let the Government select their own words." I do not say that for the purpose of taunting the Opposition, but for the sake of pointing to it as evidence of the supreme difficulty of the questions with which the Opposition attempt to deal. With all their talent, they cannot put their Amendments into a satisfactory shape, because what they endeavour to effect often cannot, consistently with the scheme of the Bill, be effected. I want to deal with the three questions which they raise by this Amendment. In this case gentlemen opposite have, I think, sufficient legal talent at their command to enable them to know that they are attempting to do things which cannot be done, and to introduce matters which are incompatible with the principle of the Bill and which would render it unworkable. The Government, in opposing such Amendments as this, are bound to point out that the evident intention of the Opposition, and of the whole policy they have pursued, and have, indeed, more than once candidly avowed, has been to endeavour to make the Bill unworkable. All the Amendments have tended to the same object. The

Amendments have been based upon the supposition that the House cannot rely upon broad principles, but must enter into a vast number of details which, when put into the form of provisions, would be found to be impracticable, and which would destroy the Bill itself. The Amendment, as I have said, consists of three parts. I come to the first part. The hon. Member for Dover has been good enough to quote some words of mine, and my views have also been quoted by the right hon. Gentleman who has just spoken. To those words I fully adhere. Sir, it has always been the view of the Government, and it has always been so expressed by them, that the Lord Lieutenant should act upon the advice of the Imperial Government in Imperial matters, and that the same restrictions should apply to the acts of the Irish Executive as apply to those of the Irish Legislature.

MR. WYNDHAM: That is not in the Bill.

\*MR. BRYCE: Then the hon. Member for Dover asks why we do not accept the Amendment? We do not do so for the reason that, in our opinion, the principle of the Amendment—I speak of the first part of it—is already sufficiently contained in the Bill.

MR. WYNDHAM: The Member for North Kerry has said the matter should be in the instrument of delegation and not in the Bill.

\*MR. BRYCE: The hon. Member for North Kerry put the same construction on the Amendment as I have done.

MR. WYNDHAM: Clause 4.

\*MR. BRYCE: I will come to that. I am dealing now with the first part of the Amendment. With regard to what has been said by the right hon. Gentleman (Mr. Matthews), I would remind him we laid it down in Committee that the Lord Lieutenant, in the Imperial matters reserved by Clause 3, would take his instructions from the Imperial Government and would be responsible to the Imperial Government for any act he might do; and the whole question of the way in which the Imperial Government should deal with them, and of the relations that would exist, was very fully discussed. The right hon. Gentleman puts a case of conviction for treason-felony, and he asks how the Lord Lieutenant is to exercise his prerogative in a case of that kind. It is quite clear to me, and I hope also to the House, that

*Mr. Matthews*



the Lord Lieutenant in Imperial matters will take his advice solely from the Imperial Government. No instrument of delegation would be drawn so to run counter to the scope and provisions of the Bill as not to indicate in accordance with the scheme the functions of the Lord Lieutenant as regards Irish matters and as regards Imperial matters. It will do so, because it will obviously be in accordance with the frame and purport of the Bill. The Imperial matters mentioned in Clause 3 are matters in which he will take his advice from the Imperial Government; and whether he consults the Irish Executive or not, whether he gives them an opportunity of expressing their opinion, he will act on the advice given by the Imperial Government, and that only.

MR. A. J. BALFOUR (Manchester, E.): Why do you not say that in the Bill?

\*MR. BRYCE: It would be more convenient, perhaps, if the right hon. Gentleman would let me finish my argument, and I will then answer his question. The right hon. Gentleman the Member for East Birmingham (Mr. Matthews) next dealt with the Imperial question as to sending Envoys to Foreign Powers. It is absolutely impossible that an attempt should be made to send Envoys without the intervention of the Lord Lieutenant, who could not sanction any such action. But the sending of Envoys has not been tried in the past—you cannot find an instance of an attempt to do it in the Irish history of last century. The right hon. Gentleman went on to speak of the function of the instrument of delegation. That function will be clear, and will doubtless cover this case, defining, in accordance with the provisions of Clause 3, which in our view are perfectly explicit, any point in which the Lord Lieutenant may be concerned. There is only one remaining point that the right hon. Gentleman dilated upon—namely, the possibility of setting up a double Executive in Ireland, and he said we would avoid that by accepting the Amendment. But the very thing the Amendment itself does is to set up a double Executive in Ireland. It has no other meaning. We distinguish very clearly between the Lord Lieutenant's position as the Queen's Representative and Imperial Minister and his position as the head of the Irish Executive advised by the Irish Ministry.

MR. A. J. BALFOUR: Then why not accept the Amendment?

\*MR. BRYCE: The Leader of the Opposition says—"Why not accept the Amendment?" We do not think it is necessary to put it in the Bill, because the Bill already indicates with sufficient clearness what the duty of the Lord Lieutenant will be, and lays down a principle to which the instrument of delegation must conform. We think it has been universally understood in every part of the House that the restrictions under Clauses 3 and 4 have been imposed with this object—of making clear the duties of the Executive and the Legislature; and it is impossible to suppose that matters will be otherwise than provided for, because you give the Irish Ministers the power to state their opinion on matters with which the Legislature has nothing to do. The Irish Ministers will only speak for their own Legislature. Their weight as counsellors depends upon the fact that they have the confidence of, and speak for, that Legislature. Beyond its province they are not entitled to go. How, then, would it be possible for them to authoritatively advise the Lord Lieutenant regarding Imperial affairs which are excluded from the purview of the Irish Legislature? The only weight that their opinion would have would be based upon the fact that they were the Representatives of the Irish Legislature, as far as concerned such matters as that Legislature were competent to deal with, and no Lord Lieutenant would accept their opinion upon matters outside the restrictions imposed upon that Legislature. I, therefore, see no reason why we should accept the Amendment. The hon. Member for Dover spoke of the way in which the Government treat those who bring forward Amendments—of our being suspicious. But, Sir, I would remind the House that we have had considerable experience of these Amendments, and on nearly every occasion when we have admitted an Amendment—purely for the sake of peace and of saving time—an Amendment, it might be, which, to our own judgment, might not be necessary—we have found that such a concession was made the basis for other Amendments being moved. We rely in this instance upon a broad and clear principle, and we do not think it is necessary to restate a point for which we consider that the Bill

already provides. Now I come to the second and third part of the Amendment. The second part of the Amendment is doubly objectionable. In the first place, it provides that the

"Lord Lieutenant shall not do or omit to do any act upon the advice of the Executive Committee, or until he has received Her Majesty's instructions thereupon, or otherwise than as representing Her Majesty, . . . whereby any person or Corporation would be injuriously affected in respect of any of the matters in which they are protected as against legislation by the Irish Legislature under Section 4 of this Act."

But, Sir, we cannot contemplate the Lord Lieutenant, as representing Her Majesty, doing wrong—that is, transgressing the restrictions imposed in Clause 4. He is to be in Ireland as representing Her Majesty to do right, not wrong. Moreover, it is perfectly plain that if a law were passed transgressing the provisions of Clause 4 of the Bill it would be a law passed by the Irish Legislature, with regard to matters which were not excluded from the general sphere of domestic legislation. The law would be invalid so far as it transgressed the restrictions of Clause 4, but it would have nothing to do with the Lord Lieutenant in his Imperial capacity, and it would not help matters to bring him in in that capacity. Then I come to the last part of the Amendment. The same objection applies to it, with this addition: that it would throw an impossible duty on subordinate officers, and it would render the government of Ireland entirely impracticable. Before I sit down I may mention for the information of the right hon. Gentleman the Member for East Birmingham that the very case he mentioned as regards pardons has arisen in some of our Colonies, and the directions given to the Colonial Governors are that where a prisoner has been convicted for an offence against Imperial law, or for a matter involving Imperial acts, the Governor is not to be guided by his Colonial Ministry, but is to act upon his own discretion, consulting, if he pleases, the Secretary of State at home.

MR. A. J. BALFOUR: I do not propose to reply to that part of the speech of the right hon. Gentleman in which he denounced the Opposition for being prepared after debate to modify the Amendments they put upon the Paper. The right hon. Gentleman is very anxious that he and his friends should be judged

*Mr. Bryce*

by the general principles laid down in the Bill. I claim that the Opposition also shall be judged by that canon—that is to say, by the general principles laid down in their Amendments. The right hon. Gentleman is entirely in error in supposing that the Opposition think Sub-section (b) to be of less importance than Sub-section (a). If (b) is less important from an Imperial point of view it is far more important, so far as the loyal minority in Ireland are concerned. I shall, therefore, support (b) as heartily as I shall support (a). We are in a very curious position. The Government allege that they approve of both sub-sections, and the hon. Member for Kerry says that he approves of Sub-section (a) but does not approve of Sub-section (b).

MR. SEXTON said, he did not approve of stating it in the Bill. It ought to be done in the instrument of delegation.

MR. A. J. BALFOUR: I understood his position was that he did not want this Amendment embodied in the Act. He did not object to Sub-section (a) being embodied, but he did not wish (b) to be. Therefore we have it that the Government approves of both sub-sections. ["No!"]

MR. BRYCE: (B) is unworkable.

MR. A. J. BALFOUR: Then I would ask them the plain question whether they think that the Lord Lieutenant, in regard to matters dealt with in Sub-section 4, is to act on the advice of Irish or of British Ministers?

MR. BRYCE: The Lord Lieutenant is not to break the law.

MR. A. J. BALFOUR: That is no answer. I am talking about Executive acts. It is not a question of breaking the law. One of the provisions of Sub-section 4 lays down that no Act shall be passed which would prevent the Conscience Clause being enforced in any school in Ireland. At present educational matters in Ireland are under the Educational Board, and it is in the power of that Board, with the consent of the Lord Lieutenant, to abolish the Conscience Clause in any school. No Act is required.

MR. T. W. RUSSELL: They tried to do it.

MR. A. J. BALFOUR: And, in face of that, the Chancellor of the Duchy can only interject that the Lord Lieutenant is not to break the law. Will the right

hon. Gentleman the Chancellor of the Duchy have the courage to say that after this Bill passed it would be impossible to abolish the Conscience Clause in Ireland, and thereby injure any Corporation or individual intended to be protected by Clause 4 without breaking the law? I put it to him, would it be breaking the law to abolish the Conscience Clause? It is obvious that it would not, and that in some way or other, either by delegation or by Bill, you must prevent the Lord Lieutenant from dealing with educational matters on the advice of the Irish Ministers.

\*MR. BRYCE: My hon. and learned Friends the Attorney General and the Solicitor General are of opinion that it would be unlawful to abolish the Conscience Clause.

MR. A. J. BALFOUR: Then let them get up and prove it. It would be more instructive to hear their legal acumen exercised in supporting that proposition in Debate than to have the statement merely thrown across the Table. I do not gather that the legal luminaries to whom the right hon. Gentleman has referred have yet ventured to do more than to say that they think it would be illegal. When they reach a more certain frame of mind perhaps they—or, at any rate, one of them—will make a statement on the matter. If they do not reach a more certain frame of mind, perhaps they will put words into the clause to put the thing beyond doubt. The right hon. Gentleman the Chancellor of the Duchy oscillated between two inconsistent theories; in one half of his speech he said the whole matter was to be done by delegation; in the other he stated that it was provided for in the Bill as it stands. And when I asked—"Where is it provided for in the Bill?" he said, "In the framework of the Bill." Well, we asked—"What is the framework of the Bill?" but to that question we got no trace of an answer. I know what the clauses, and the sub-sections, and the Preamble of a Bill are, but I do not know what the framework is. When a Judge is asked to interpret the framework of a Bill, what does he do? I should think he does what we do—namely, ask the learned counsel what clause, and sub-section, and definite statement in the Bill carries out his declaration. I say we have asked what is

meant, and have received no trace of an answer. To be told by the same Minister in the same speech, in the first place, that the thing cannot be done; in the second place, that it is done; and, in the third place, that though it is not done in the Bill it ought to be done in the delegation, is placing before us a mass of inconsistencies which are difficult to swallow. If these inconsistencies were to be expressed they ought at least to have been put into the mouths of different Ministers, and not to have all come from one. Then as to the answer which it was attempted to give to my right hon. Friend the Member for East Birmingham (Mr. Matthews) with regard to the objection he raised in reference to the double Executive in Ireland. My right hon. Friend said—"If you are going by your instrument of delegation to except from the powers of the Lord Lieutenant certain spheres of action, those spheres will be left empty, and the vacuum must be filled up by some Executive authority, which by a natural process will be the English Ministry—probably the Home Secretary—and this will have the effect of setting up a double Executive." But the Chancellor of the Duchy says that there is no force in that objection, for that is already done in the Bill. Let me grant that that is so, and that this unfortunate Lord Lieutenant is to carry out a double Executive function. You have only got to alter the form in which the right hon. Gentleman's argument is put, and you can say that under the plan of the Government there will be three Executives in Ireland. In some cases the Lord Lieutenant will act as advised by Her Majesty, in others as advised by his Irish Government, and in a third set of cases he will not act at all, but the whole matter will be done by the Home Secretary. I listened most carefully to the speech of the Attorney General yesterday and to the Chancellor of the Duchy this evening, and was at a loss to understand why the Government are so obstinately set upon refusing this Amendment. If it is impossible to put in the Bill words that will prevent the Lord Lieutenant in his Executive capacity dealing with things forbidden to the Legislature in Ireland, I say it will be impossible under the system of delegation. Even if there were no other argument against leaving this to the delegation, the argument would remain absolutely

conclusive that we wish to lay down in permanent and unalterable terms the limitations and protections which we give to the minority in Ireland and to Imperial interests. Your proposal is in favour of leaving it open to every Government that sends a delegation to put the question in what form it likes, to accept what it pleases, and to protect whom it chooses. We therefore say that inasmuch as it is certain that limitations on the Executive are as necessary in these great objects as on legislation, it is necessary to see that the limitations are embodied in a permanent form in the Bill itself, and not left to the haphazard policy of successive Governments.

MR. COURTNEY (Cornwall, Bodmin) said, he agreed in principle, as he thought they all did, with the Chancellor of the Duchy and the hon. Member for Longford opposite, that the limits of the action of the Executive Authority ought to be strictly conterminous with the limits of the action of the Legislature. If they were agreed in that, the question really resolved itself into this: Was it well that the equality of the action of the Legislature and of the Executive should be expressed in the Bill, or ought the limits of Executive action to be reserved to be expressed in the delegation by which certain prerogatives were conferred on the Lord Lieutenant? The arguments that had been used in favour of not expressing the Executive action of the Act appeared to be these: they could get more elasticity in the delegation—they could learn by experience, and, where necessary, modify the terms. The right hon. Gentleman the Chancellor of the Duchy had said—"You would have more flexibility in the matter of the delegation." Well, these things might be looked on by some people as merits, but in the eyes of the Opposition they were faults. If the delegation were to be conterminous with legislative authority, what ground was there for having any elasticity? They did not intend to limit the action of the Executive within the limits of the Legislative Authority; they did not intend to go beyond them. It was intended to make them conterminous—simple words would make them so—and if that was the principle to be adopted why should it not be expressed in words instead of allowing an ambiguity to exist? Were they afraid to make it more clear? Were

they afraid to make the matter independent of the varying opinions of successive Ministries? The Opposition did not want to allow successive Ministries to exercise the elasticity—now withdrawing and now extending powers. They wanted the Lord Lieutenant to be informed strictly what he could do and in what capacity he could do it, so that he could never be at a loss, when circumstances arose, to know what was his duty, and what was the course of action he would pursue. In Canada, in the remarkable case of the half-breed Riel, the sentence was carried out upon the responsibility and the advice given by Sir John Macdonald. He accepted all the responsibility.

MR. BLAKE said, that in Canada the law of treason was a local law.

MR. COURTNEY: In such a case in Ireland the local Ministry would have no authority.

An hon. MEMBER: We are agreed on that.

MR. COURTNEY said, he wanted to make the matter plain and not leave it obscure. They wanted to put into the Act that which the Government said was involved in it, and that which they said was their principle—namely, that the local Ministry would have no responsibility, because Executive functions were not to transcend the limits of legislative action in Ireland, and the Legislature would have nothing to do with treason. In receiving an address from the Legislature on such a subject as reciprocity or the abolition of the Most Favoured Nation Clause and passing it on to the Imperial Government, the Lord Lieutenant would be acting simply as the Representative of Her Majesty, and it was desired that that should be made plain and not be left ambiguous in the Bill. They wanted to prevent the possibility of error. The hon. Gentleman opposite, and, he was afraid, Her Majesty's Government, went a little too far in their estimate of the wisdom and Constitutional knowledge of all Imperial Ministers. In a former branch of this discussion he had referred to a case that happened not very long ago. There was a great Ministerial crisis in one of our Australian Colonies. The Governor was pressed by his Ministers to take certain action; and, being uncertain as to whether that action was



within the scope of his authority, he telegraphed for instructions to the Secretary of State for the Colonies, who responded—"Consult your Constitutional authorities." The very question which perplexed him was whether it was or was not his duty to consult his advisers, and he was told to consult them upon the question whether he should consult them. That had happened to a distinguished Minister in quite recent times. It might happen again. They now had the opportunity of preventing it in the case of Ireland, and they should avail themselves of that opportunity. Yesterday the Government had accepted a proviso which was really an abandonment of the position they now seemed desirous to maintain.

MR. BYRNE said, it seemed to him that the matter stood thus: This Bill would exempt certain subjects from the Irish Legislature, but it was argued on the part of the Government that the Irish Executive could act in respect of matters excluded from the powers of the Legislature. He should have thought himself that that, to say the least of it, was a doubtful position. He was afraid, however, that they must accept it as the view of the Government, after the statement of the Chancellor of the Duchy with, no doubt, the concurrence of the Law Officers of the Crown. The last Amendment, it was said, was unnecessary, but it had been accepted by right hon. Gentlemen opposite; and having, therefore, adopted a certain subject for the purpose of excluding it from the enumerated subjects, the maxim must apply—*inclusio unius est exclusio alterius*.

MR. T. W. RUSSELL said, the Charter of national education allowed the Education Board in Ireland to alter the fundamental principle of the national system of education, with the consent of the Lord Lieutenant. In what capacity and on whose advice would the Lord Lieutenant act either in giving or withholding his assent to the abolition of the Conscience Clause? That question had been asked by his right hon. Friend, and the Government had not thought it necessary to reply; but the question was important, and they ought to have an answer.

MR. J. MORLEY said, the Chancellor of the Duchy had replied to the question, but he (Mr. Morley) was quite willing to

repeat the answer. The hon. Gentleman assumed that the National Board would go to the Lord Lieutenant and say that—"We propose to do away with the Conscience Clause." What did that clause affect, and what was it affected by—a grant of public money? That money was granted by the Appropriation Act to schools on the hypothesis that they would have a Conscience Clause, and it was suggested that in future the money might be granted on the understanding that there should be no Conscience Clause. Under the 4th subsection of this Bill such a proceeding on the part of the National Board would be invalid, and the Lord Lieutenant could not assent to any such act.

Question put.

The House divided:—Ayes 146; Noes 200.—(Division List, No. 279.)

MR. H. HOBHOUSE (Somerset, E.) moved to add, at the end of line 38, Clause 5—

"Such Committee is in this Act referred to as the Irish Government."

He said, the Amendment was consequential on a new clause which had been accepted by the Government. No doubt it would be said that the subject should be dealt with in the Definition Clause; but he was afraid the clause would not be reached in time to be dealt with by a private Member. If the Government would undertake to deal with it in the Definition Clause he should be perfectly satisfied.

Amendment proposed,

In page 3, line 38, to insert, at the end of the last Amendment, the words "such Committee is in this Act referred to as the Irish Government."—(Mr. H. Hobhouse.)

Question proposed, "That those words be there inserted."

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.) said, he thought the statement in the Amendment was inaccurate. The Committee referred to in the clause was the Cabinet, and the Cabinet was not the Government, but only part of the Government.

MR. SEXTON (Kerry, N.) pointed out that many of the references in the Bill to the Irish Government referred to a more extensive Body than the Executive Committee.

MR. COURTNEY (Cornwall, Bodmin) agreed that it would be inconvenient to accept the Amendment as it stood, but urged that some definition of the "Irish Government" referred to in the new clause was needed.

MR. T. M. HEALY (Louth, N.): The Amendment of the new clause can be made by the House of Lords.

MR. J. MORLEY: I will look into the matter in the course of the evening, and if I agree with my right hon. Friend (Mr. Courtney), I will put a provision into the Definition Clause.

Amendment, by leave, withdrawn.

MR. HANBURY (Preston) moved to insert—

Clause 5, page 3, line 38, at the end: "Provided always, that there shall be a Secretary for Ireland holding office in the Imperial Ministry, and who may be a Member of either House of Parliament."

He said, that the somewhat similar Amendment moved in Committee differed in some respects from the present proposal. He believed the former Amendment stipulated that the Secretary for Ireland should be a Member of the Executive Committee, and since it was moved the matters reserved to the Imperial Parliament had been largely increased in number, while it had been finally settled that 80 Irish Members should remain in the Imperial Parliament. In introducing the Amendment he was simply endeavouring to enable the new Irish Constitution to be worked as every other Constitution in the Empire was worked. There was in the Imperial Parliament a Secretary representing India, although that country contributed nothing towards the expense of the India Office; there was a Secretary for the Colonies, although those Colonies were to a large extent independent, and had hitherto been Secretaries both for Ireland and Scotland. The theory that had been put forward by the Government was that Imperial matters in Ireland would practically be under the control and responsibility of the particular Ministers in charge of the particular Department affected, and that for Irish matters no special Minister was required. Although the Imperial Parliament was to retain its supremacy over all Irish matters, and was to be able to legislate in all matters relating to Ireland, and although there would be very nice

and delicate matters connected with the limits of the respective authorities of the two Parliaments, the Government did not think it necessary to have a special Minister to deal with these questions. It seemed to be the idea in the mind of the Government that the Home Secretary would deal with them. The Home Secretary was already one of the hardest worked of our Ministers, and he had about the least to do with Ireland of any Minister. The Chief Secretary had said that under the old system the Home Secretary was the Irish Minister. Under Grattan's Parliament, however, the Executive was an English Executive, whilst under this Bill the Executive was to be under the control of the Irish Parliament. The Departmental Ministers who, according to the theory of the Government, were to be responsible for Departmental work in Ireland would not, as a matter of fact, be responsible for it. Could it be said that the English Education Minister would be responsible for all the difficult questions connected with education that would arise in Ireland? Would the English Attorney General be responsible for prosecutions for treason in Ireland? Would the Home Secretary be responsible for the control of the Irish Constabulary? Then there was the Land Question, and another question which the Prime Minister said the other day the House of Commons ought to maintain a lively observation of—the appointment of Land Commissioners.

MR. W. E. GLADSTONE: I did not say this House.

MR. HANBURY said, in that case he did not see who was to maintain the lively observation. [An hon. MEMBER: Parliament!] If the Prime Minister meant Parliament, he thought it was hardly worthy of the right hon. Gentleman to draw such a fine distinction. Was the Minister for Agriculture to be responsible for matters connected with land in Ireland? They knew that he was nothing of the sort. Therefore they wanted a Minister for Ireland who would be responsible to the House of Commons for matters which did not fall under the cognisance of any Departmental Minister in England. There was abundance of work for such a Minister, and work which would never be properly done if it were left to the Home Secretary, who was already overburdened. They had

got a Secretary for Scotland, whose work was not near so heavy and responsible as the work of a Secretary for Ireland would be, and they had a Secretary for the Colonies, who, though he had very little to do with the Colonies, was the symbol of the supremacy of the Imperial Parliament. If Irish Members were willing to have a Minister for Ireland retained in the House as a symbol of Imperial supremacy, just as the Colonies were willing that there should be a Colonial Minister in Parliament, he thought the Government would, no doubt, be willing to appoint such a Minister. But nothing of the sort was done by the Government, and he fancied that their Irish allies would not allow them to do it. The hon. Member for North Kerry (Mr. Sexton), when the matter was raised in Committee, said, as to who was to be responsible, that it was a question of detail with which the Committee need not concern itself. On the contrary, it was a very important question—the question as to who was to be the Minister responsible for Ireland to the Imperial Parliament—and one which Parliament ought to discuss. This curious principle, enunciated by the hon. Member for North Kerry, had practically been accepted by the Chief Secretary for Ireland. The Chief Secretary said, in reply to a question put by the right hon. and learned Member for Bury, that the Home Secretary would be responsible for what was done in Ireland “as far as this House could be cognisant of it.” That was a strange observation of the right hon. Gentleman, for as long as the Imperial supremacy was retained this House ought to be cognisant of everything in Ireland. The right hon. and learned Member for Bury asked whether the Home Secretary would be responsible for the advice given to the Lord Lieutenant, and the answer was—“Certainly not for the advice given, but for the action taken.” That was a most unconstitutional doctrine. Then the Chief Secretary was asked who would be responsible for the advice, and according to *The Times*’ report the only reply given was this—“Mr. Morley shrugged his shoulders.” That was not a sufficient answer to give to a question of such importance. Here they had the Chief Secretary for Ireland shrugging his shoulders and unable to tell them who would be responsible for the advice given to the Lord Lieutenant

under Home Rule. If the Home Secretary was not to be responsible for the advice given to the Lord Lieutenant, it was high time to have a Minister who would be responsible. Ireland had at present its separate responsible Minister for each Department of Irish work, and its Lord Lieutenant acting as a Constitutional Monarch. He asked that that state of things should continue under Home Rule. He asked that they should have in this Imperial Parliament under Home Rule a separate responsible Minister for Ireland, as they had for Scotland and for the Colonies, and that that Minister should be responsible to them as the Irish Ministers would be responsible to the Irish Legislature. Surely this proposal was only carrying out the Constitutional practice. Why should they have this difference between the state of things which existed now when they had a Minister for Ireland and the state of things which would come into existence if the Bill was passed? There was no real reason for it. Why should there be this objection to appointing a British Minister who would be responsible for affairs in Ireland? At present the President of the Board of Trade had charge of Irish lighthouses, beacons, buoys, &c., and he would continue to be responsible for all those Irish matters in the future as in the past. The President of the Board of Trade was a responsible Minister in every sense of the word; but directly they got away from the Departmental subjects the Government proposed that the Home Secretary should look after the more general affairs in Ireland, but that he should not be responsible for the advice given. That would be a gross anomaly. They would have two sets of Ministers under the Home Rule Bill—one set responsible to the House, and another set not responsible to the House. There would be a great distinction between the Home Secretary in his different functions; because, as a Departmental Minister, he would be responsible for the Constabulary in Ireland just as he was responsible for the Police in London; but for all other matters in Ireland which generally fell strictly within his Department as Home Secretary he would have no responsibility at all. Those were very absurd restrictions, and the only way to get rid of that absurdity was to have in the future, as in the past, a Minister for Ireland who

would be responsible for all those matters. He was not asking for anything unusual. He was simply asking that they should have a Minister who, by his very name, should be the symbol of the Imperial supremacy in Ireland, in the same sense as the Secretary for the Colonies was the symbol of the Imperial supremacy in the Colonies; and that they should adopt in regard to Ireland the same practice which was adopted in regard to every other portion of the British Empire—namely, that there should be a Minister in this House distinctly and separately responsible for it. On these four grounds—because they wanted a symbol of Imperial supremacy in Ireland, because it was the universal practice to have such a Minister, because it was absolutely necessary to have such a Minister on account of the work that was to be done, and, above all, in the interest of Constitutional principles—he begged to move the Amendment, and he hoped the Government would be induced to accept it.

#### Amendment proposed,

In page 3, line 38, at the end of the last Amendment, to insert the words,—“Provided always, that there shall be a Secretary for Ireland holding Office in the Imperial Ministry, and who may be a Member of either House of Parliament.”—(*Mr. Hanbury.*)

Question proposed, “That those words be there inserted.”

MR. W. E. GLADSTONE: I have very great jealousy of the constitution of offices by Statute. It is very far from being the universal practice in this country. It appears to me that offices ought to be constituted according to the necessity arising for them, and of that necessity you cannot judge until circumstances have attained a state of ripeness. It is totally impossible for any man, be his experience what it may, to form a judgment at present as to what in all likelihood will be the amount of Irish business normally devolving on the House of Commons under the system of Home Rule. On special occasions offices are constituted by Statute; but if you were to go over the list of offices recently established and held by Members of the Cabinet, my belief is that a very small minority of them would be found to have been so constituted. The hon. Member who has moved the Amendment has not observed what is the established practice in this country.

*Mr. Hanbury*

MR. HANBURY: The Minister for Agriculture was constituted by Statute a few years ago.

MR. W. E. GLADSTONE: Some of the offices were constituted by Statute, such as the Secretary for India and the Secretary for War; but in each of those cases there were specific reasons. The Secretary for India was constituted by Statute because it was thought by Parliament that the President of the Board of Trade, who had previously looked after India, could not possibly continue to discharge the mass of business in relation to India, which grew with the extension of the Indian Empire. Perhaps the House does not recollect that it is not very long ago since the Secretary for the Colonies was also Secretary for War. I have myself held the offices 47 years ago. It was when Parliament—whether wisely or unwisely is a matter on which I reserve my judgment—broke up the old military offices and scattered them that it became necessary to establish at their head a separate Minister, and as it was thought impossible that the Secretary for the Colonies could discharge the duties a Secretary for War was appointed. But my point is that there is no case whatever for the allegation of the hon. Gentleman that there is certain to be a necessity under Home Rule for a separate office for Ireland. I admit that, as regards Imperial duties connected with Ireland, there will be a standing responsibility for which provision ought to be made; but I am not sure that that responsibility will entail any serious addition to the work of any existing Government Office, or will require the appointment of a new officer of State to deal with it. If all the prohibitions and exclusions contained in Clause 3 are looked at it will be seen that almost all the excluded subjects fell within the province of one or other of the existing British Ministers; and my opinion is that all the Imperial duties which will continue to attach to the British Legislature will be specifically provided for under the different Departments of the Government. I do not deny, however, that there will be a general responsibility in connection with Irish affairs; but that will be the responsibility of the Government at large, and not of any particular Minister. No doubt, if a particular case arises it will be the duty of the Government at large to make a specific provision; but



we say that we should have the light of experience before we make such a provision as the hon. Member asks for in his Amendment. We should submit a Resolution on the subject to the consideration of the House, and with regard to which the House would have the advantage of being able to judge whether it was required. Therefore, I object to this Amendment altogether as being in every sense premature. The hon. Gentleman says that such a Minister would be the symbol of our supremacy in Ireland. I think supremacy would have reached a very low ebb indeed, if it was to depend upon the presence of some individual or another in this Parliament to show that it exists.

MR. HANBURY : I did not say that it was to be the sole symbol of supremacy.

MR. W. E. GLADSTONE : I did not say anything about its being the sole symbol. Of course, the hon. Member gave other reasons. But this is one reason, and what an absurd reason it is. What the hon. Member wants is that there should be a perpetual supervision of Irish affairs by this House. We are not to be deprived of any portion of the means we have now for interfering day by day in the Government of Ireland. The object of the hon. Member appears to be to keep alive the system which is known as "Dublin Castle." There is to be a perpetual supervision by this House over all Executive transactions in Ireland under Home Rule as there is now. To that I object.

MR. HANBURY : The right hon. Gentleman himself, in a recent speech, expressed the hope that Parliament would keep a lively observation on Ireland.

MR. W. E. GLADSTONE : The hon. Gentleman does not quote my words. He gives his recollection of them. I also depend on my recollection, but I know the idea that I intended to convey, and that was that an earnest observation should be carried on by those who had got a particular interest in the Land Question. I say that the hon. Gentleman desires to have on the part of this House a perpetual supervision over all Executive transactions in Ireland, and that consequently the existing machinery should be retained. The object of the Government, however, is to get rid alto-

gether of that supervision, and certainly we do not intend to set up a Minister to whom dozens of questions at a time may be put with regard to Irish local matters. If it is intended by the hon. Gentleman or by anybody else—and many of the speeches we have heard tend to inspire the belief that such a desire does exist in many quarters—that there should be a Minister here for the purpose of having dozens of questions put to him in regard to local and casual occurrences in Ireland, so as to encourage the perpetual bringing of Irish affairs before this House, I say that independently of all other objections on that ground alone no such provision will be made. The case of the Colonies does not apply. If the Colonies had started into life as self-governing countries, I am not at all sure that a Secretary of State would have been necessary. But the necessity for the Office arose historically, and it must be maintained in regard to the Crown Colonies. But there is no necessity for such an Office in regard to Ireland; and we, therefore, cannot accept the Amendment.

MR. A. J. BALFOUR : I have listened with attention to the right hon. Gentleman, but I have not listened without regret. He has told us that if there were self-governing Colonies existing from the first, a Secretary of State for the Colonies would not have been required. I think that if the right hon. Gentleman will consult the Secretary for the Colonies he will find that the self-governing Colonies require constant attention on the part of the English Cabinet, and, therefore, there is no reason to suppose that the attention will be less necessary in the case of Ireland. I concede, however, that the right hon. Gentleman is quite right in saying that we in the Imperial Parliament do not desire to spend our lives over minute details of Irish administration, and that it is impossible for anyone to prophesy with accuracy at the present time the exact amount of work which would fall on an Irish Minister constituted by the arrangement proposed by my hon. Friend. But some duties will be cast on a Minister who ought to be responsible to the House of Commons for giving some information as to Irish affairs; and now, and not later, as the right hon. Gentle-

man suggests, is the time to decide the point. Besides the questions reserved in Clause 3, there are also questions which will arise under Clause 4 which will not fall into any of the existing Departmental arrangements, and it is admitted on all hands that the Imperial Parliament must keep a general supervision over Irish affairs, and must have the power of debating questions of adequate importance when they arise. I do not see, therefore, how these questions are to be dealt with unless there is a Minister in the House who is in constant communication with the Irish Government and who can advise the House as to the views of the Irish Government. In the interest of the Irish Government themselves it is important that they should have a proper channel of communication with the House. Occasions, for instance, may arise in which the Government would be perfectly justified in their action, and of which, if the grounds for the action were known, no one would complain. Are we to be dependent on some Irish Member who is not a Member of the Irish Government and not in any way officially connected with them for their views on those occasions? Would it not be better, and more in accordance with Parliamentary usage, to have some authorised channel of communication? The question, therefore, resolves itself into this—Is it, or is it not, desirable to give power to appoint a Minister in the Bill, or must we wait until the necessity is forced upon us by the actual difficulties in which we find ourselves by the non-existence of the Minister? The right hon. Gentleman seems to entertain the idea that it would be possible to appoint a Minister by some process less elaborate than a Bill. I believe that a very small number of Ministers now exist except under statutory power, and all the modern Ministries have been created not by the Crown, but by Parliament. The Ministers for War, for India, for Scotland, for Agriculture have been constituted by Act of Parliament; and I have a painful recollection of the time when the late Government desired to appoint my lamented Friend (Colonel King-Harman) to be Under Secretary for Ireland. That appointment could not be made without an Act of Parliament, and we had to drop the Bill because we found the diffi-

culties would have been almost insuperable, owing to the opposition, had we endeavoured to proceed with the Bill. I say, therefore, if you do not settle the question in this Bill, that when the necessity for an Irish Minister is felt, and when the Government of the day brings in a Bill to appoint one, hon. Gentlemen below the Gangway, who may have good reasons why no such office should be established, will deal with the appointment of an Irish Secretary as they dealt with a subordinate appointment in the Irish Office. Those reasons are quite conclusive in favour of the Amendment of my hon. Friend, and I think he was well justified in bringing it forward.

SIR T. LEA (Londonderry, S.) said, that the Irish Land Question would continue to demand, even under Home Rule, a good deal of attention and trouble in the Imperial Parliament. The question was reserved from the Irish Legislature for three years. If there was to be a Bill dealing with the land to pass through the House during these three years, it would be desirable to know what Minister would have charge of a measure of such importance. No existing Minister would be able to carry through the House a complicated measure like that. The Prime Minister had said that there would not be many important Irish questions raised in that House under Home Rule. Well, the Irish minority would always look to that House for the due protection of its rights and privileges. As subjects of the Queen they would have the right to look to the House, and whenever the need arose they would come to the House and claim protection. They, therefore, considered that a special Minister should be appointed to look after the affairs of Ireland.

MR. SEXTON (Kerry, N.) said, the hon. Baronet must not have read the Amendment. The hon. Baronet was extremely anxious that there should be a Minister to answer for the affairs of Ireland in the House of Commons. The Amendment said that the Minister should be in either House of Parliament; so that even if the Amendment were carried there would be no security that the object desired by the hon. Baronet would be carried into effect. He submitted that the proposal in the Amendment was

*Mr. A. J. Balfour*

entirely inappropriate. The range of the Imperial subjects reserved from Ireland were not confined to one Department, but extended to all Departments. A glance through the excepted subjects in Clause 3 made it evident that if one Minister were appointed to deal with the affairs of Ireland that Minister would have to deal with Imperial affairs which were properly belonging to the various Departments of the Government. He submitted, therefore, that the appointment of one Minister would involve, necessarily, continual friction, and possibly conflict, between him and the other Members of the Government. The responsibility of the Government was a responsibility on the whole Government, and could not be devolved on any one Member of the Government.

MR. RENTOUL (Down, E.) said, he had had no doubt whatever before he saw the Bill, or before it was brought before the House on the Second Reading, that one of the things that was certain to be provided for in it was the retention in this House of a responsible Minister who would be able to answer questions, to give explanations, and generally to deal with Irish affairs; therefore it was not wonderful that his hon. Friend should have brought forward this Amendment, or that they should have had the question before them under several different heads during the Committee stage of the Bill; it seemed to him absolutely necessary that there should be in that House a Minister responsible for Irish affairs. According to the Amendment a Minister responsible for Ireland might be in either House; but he (Mr. Rentoul) agreed with the hon. Member for North Kerry (Mr. Sexton) that it would be better to have the Minister in that House, so that he could be questioned by Members here. But with respect to one point urged from that side of the House and ridiculed from the other—namely, as to the advisability of having a Minister in that House as an emblem of supremacy, he thought that was a matter of great importance.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. RENTOUL proceeded. He was saying this matter of a Minister in that House as an emblem of Imperial supremacy was rather important, because when they asked in Committee where there

was anything in reference to Imperial supremacy they were told it was scattered all through the Bill, and was contained in all parts of it. A thing that was in all parts of a Bill might very likely be held by lawyers to be in no part of the Bill at all. Our Colonies were represented by a Colonial Minister, and though the Prime Minister said the Colonial Minister was retained because there were Crown Colonies who had not a Government of their own, he (Mr. Rentoul) thought the experience of Colonial Governors was that their services had been required more in connection with those Colonies that had a Legislature and Executive of their own than even with regard to the Crown Colonies. But with reference to an Irish Minister in that House it was said that the various matters that were at present under the cognisance of the Irish Chief Secretary would be, after this Bill was passed, scattered throughout every Department. For example, that the Minister for Education here would be the man who would be responsible to a certain extent, at any rate, not merely for the education in Great Britain, but for the education in Ireland; that the Minister for Agriculture would have his eye on the agriculture of Ireland also; and the English Attorney General would be the man to instigate prosecutions for treason after this Bill passed. But the difficulty that arose in his mind with reference to that was this—that these Ministers would probably know nothing whatever about the affairs of Ireland. Suppose the Chief Secretary for Ireland, now in that House, were asked a question with reference to Irish education or any other important Irish matter, he would be ashamed to get up and say, “Really I do not know anything about that.” But suppose the Minister of Education here—the Vice President of the Council—were asked some minutely technical question about education in Ireland, he might very properly say—“I know nothing about that,” and no one would think anything the worse of him that he did not pretend to know that, because he would simply be the Minister for Great Britain and not for Ireland. If a man undertook the duties as Minister representing Ireland in that House, he would be selected as a man knowing something about Ireland; but if the Irish business was to be scattered through the hands of a number of Departments, how

was any one of them to have a knowledge of Irish affairs? It was supposed a man was selected for a particular office because he had some special knowledge—more than the average Member of the House—with regard to that Department. It was told of a certain gentleman, who was suddenly asked to undertake the duty of Secretary of State for the Colonies, that after he accepted the appointment and went back to his office he said to his secretary—"Had we not better get down the map and see where these places are?" Whether that was true in fact or not, it represented a great truth—that many found themselves in places they were little competent by knowledge or experience to fill. But if they had a man here who undertook the duty as his sole work, he would, for his own sake, try to make it his business, even if he knew nothing whatever of it. The Prime Minister ridiculed the idea that there should be a Minister who would exercise a sort of perpetual supervision over Irish affairs in that House. But that was the consolation that was given to them all through the Bill that there was to be a constant supervision exercised, and that if the Irish Parliament should do anything wrong, which, said the Members of the Government, "We do not for a moment expect, but in the extreme case, in the almost impossible case, that they should do something wrong, we are here to interfere." What they wanted was to put into the Bill the machinery by which that interference could be brought into active play. The Prime Minister said they must wait until they saw what the duties of the Irish Minister would be, because at present they did not know what he would be needed for. Undoubtedly, he would be needed for the question referred to by the hon. Baronet the Member for South Londonderry (Sir T. Lea)—the question of the land. The very moment this Act came into force, then they expected this would be one of the first questions that would be brought before the House, because the Prime Minister had said that it was impossible to conceive that during the next three years this Land Question would not be attempted to be dealt with by some Government in this country. The very moment, therefore, that the appointed day arrived and the Bill came into operation, there was the Land Question, which was not a comparatively small

thing as it was in England, but which was almost the whole life of the Irish people, and of great concern to that country. The Prime Minister had also stated that trade matters with regard to Ireland could be dealt with by the President of the Board of Trade, and matters concerning foreign relations could be dealt with by the Foreign Secretary for the entire Empire. But they wanted to have a man whom they would know, who would undertake the duties of the Irish Minister, because he knew something about the inner life of Ireland and Irish concerns generally. They did not want to have Irish affairs scattered over the entire Members of the Government of this country, giving them full proof of the truth of the common saying that what was everybody's business was nobody's business. The Prime Minister said he did not deny that outside these affairs there would be a general responsibility not provided for, and not under the supervision of any of the present Ministers. For example, there might be a matter of conflict on laws, or between class and class. The right hon. Gentleman, after using what he no doubt considered his convincing argument, that the Irish affairs would be scattered among the different Departments of this country, then turned to refute his own argument, and said—"I do not deny there will be a general responsibility not provided for," instancing two classes of cases of the very gravest and greatest importance. Yes; certainly there would be a general responsibility, and, according to the admission of the Prime Minister, there would be needed a Minister to represent that responsibility. The Prime Minister said there might be such a need in the future. The future would have arrived the moment this Bill passed with regard to the Land Question. But the Prime Minister used his customary argument, which was to postpone the evil day, and he said they would postpone the appointment of this Minister to some future time. The right hon. Gentleman said—"I am extremely jealous of a Minister appointed by Statute." If the Prime Minister was jealous of a Minister appointed by Statute, he was face to face with the fact that all recent appointments had been by Statute, and it seemed to be the mind of this country that the appointments for all future time should be made by Statute. In fact, those Ministers whose offices were



not created by Statute were old creatures of the past—the recent ones had all been directly and distinctly appointed by Statutes passed by that House. The Prime Minister said—"I know what gentlemen opposite are trying to do ; they are trying to revive another form of the old system of government by Dublin Castle." The old system was simply government by the representative Minister of the Crown for the time being. Dublin Castle was a set of officials absolutely under the power and control of the Irish Chief Secretary for the time, who was a Member of the Government then in power and almost always a Member of the Cabinet ; therefore the idea that they were trying to revive an iniquitous system, which the Prime Minister seemed to imply that Dublin Castle was, was surely a fallacy when they recollected that Dublin Castle was a set of officials governed by a Minister in the Cabinet of this country. It seemed to him there was by this Bill a large number of matters retained from the power of the Irish Parliament, and on which it would not have power to legislate, and according to the Debate that evening matters with which the Irish Executive would not have power to deal. No doubt, some of these matters could be answered for by a particular Minister. For example, any matter regarding trade laws might be under the direction of the President of the Board of Trade ; but with regard to questions most important of all which affected the people, which were calculated to raise feeling in Ireland, and which the minority had their attention particularly turned to, there would be no official in that House when the Chief Secretary was removed who would be able to answer questions or give a scrap of information. Under these circumstances, seeing that the Colonists were represented in the Imperial Parliament, seeing that there was the greatest possible necessity for this Minister, and seeing that, according to the Prime Minister, the Land Question would occupy the attention of that House during the first three years of the existence of the Irish Parliament, surely it was not too much to ask that there should be a responsible Minister, whom, for his part, he should prefer to see in that House.

MR. MACARTNEY said, he thought the Prime Minister hardly treated this Amendment with the attention it

deserved. The right hon. Gentleman relied upon one argument only, and that was that there was no reason to suppose that the future exigencies of Parliamentary life in the Imperial Parliament would require a Minister of State to reply for Irish affairs. He could not for a moment agree with the Prime Minister—that there was no experience upon which the Opposition could base their claim for such a Minister. In the first place, what had they to look forward to if this Bill became law ? They had to look forward to a period of Parliamentary life when there would be 80 Irish Members in that House ; and they knew that this Bill was regarded by those Members as merely transitional and tentative, and they had also this fact, which was patent to all who read the Irish Nationalist Press and the speeches made by the supporters of the Prime Minister in Ireland—that they looked upon the whole policy of the right hon. Gentleman as incomplete, and requiring in the next few years the greatest attention of those whose duty it was, as patriotic Irishmen, to obtain that full measure of Home Rule which their country demanded. That being so, it appeared to him the Prime Minister was not justified in saying there was no basis for the demand of the hon. Member for Preston (Mr. Hanbury). It was admitted that there would be a large number of problems of a most difficult and delicate character not solved by this measure. It was admitted that these problems—many of which entailed consequences of an incongruous and inconvenient nature, both to the Irish Government and the Government of the Imperial Ministry—would be complicated by the fact that the Lord Lieutenant of Ireland, who was to represent the Crown and to be the Representative of the Imperial sovereignty of Parliament, was not confined in his action to one character, but would have to occupy three or four different positions. He would first of all be a purely Imperial servant ; secondly, he would be a sort of Constitutional Monarch, who would be guided by the advice of an Irish Cabinet ; and, thirdly, he would occupy a position which was consonant with neither of these two occupations—namely, he would have to act entirely upon his own responsibility, for instance, in relation to duties imposed upon him in regard to the Irish Constabulary for a period of six years, or perhaps

onger. That being so, it appeared to him it was impossible to leave all these questions to the random consideration of some Minister or other of the future Imperial Government. The Chief Secretary had told them that the Government as a whole would be responsible; but that was a most unsatisfactory position in which to leave the matter. They all knew that from time to time questions arose in connection with which there was doubt as to what Minister was responsible, and after trying various Secretaries of State the unfortunate Member who was desirous of eliciting some definite answer to his query was referred from one Department to another by successive Secretaries of State, and was at last obliged to apply to the Prime Minister. They also knew that all Leaders of that House took advantage of the doubt and uncertainty which applied to the duties of the particular office to shuffle out of an awkward question. The hon. Member for Preston did not desire to appoint this Irish Minister for the purpose of interfering with the Irish Government. He did not say that this Minister ought to have any right to be or ought to be a Member of the Irish Cabinet; but he ought to represent in that House the relation between the Imperial Parliament and Ireland in the same way that the Colonial Secretary represented the connection between the Colonies and this country. The Prime Minister stated that the proposition of the hon. Member for Preston that this Minister was to be a symbol of the Imperial supremacy was to degrade the Imperial supremacy altogether. He did not agree with that, and he did not believe there were any Constitutional grounds for the view taken by the Prime Minister. At all events, there was the very high Constitutional authority of Mr. Hallam for the exactly opposite view. In one of the most powerful passages in his work on the Constitutional history of this country, Mr. Hallam had contended that the sovereignty of Parliament was principally established and maintained by the fact that within the walls of Parliament there were Ministers responsible to the Representatives of the people and to the sovereign power of the country; and it was in order to preserve the Imperial supremacy and the sovereign power of that House that he (Mr. Macartney) desired to see a Minister of State

appointed, upon whose shoulders there would be a definite responsibility with regard to Irish affairs. The presence of 80 Irish Members in the House made it imperatively necessary there should be some Minister in the Imperial Parliament upon whom definite responsibility could be cast in relation to the action of the agent of the Imperial Parliament—the person who in Ireland represented that supremacy, and who had to exercise that veto with regard to supremacy of which they had heard so much in the country, and of which they saw so little in the provisions of that Bill. The occasions on which doubt must arise in the mind of the Lord Lieutenant—no matter how capable and efficient a public servant he might be—must be innumerable; and he would then be put to the very greatest extremity in dealing with matters submitted to the consideration of the Irish Parliament, and afterwards submitted to him for his exercise of the veto or not. What provision was there by which the communication between him and the Imperial Government would be simple and easy? Was it proposed in the instrument of his appointment to give him specific directions as to what Minister of State he was to apply to on the various questions that might arise. Let them assume that Parliament was not sitting, and the Members of the Cabinet were scattered to the four winds of Heaven. What Minister was the Lord Lieutenant to select to advise him upon one of these intricate and difficult problems which it was admitted by the framers of the Bill would be left to the decision of the Irish Parliament, or of the Lord Lieutenant, or of the Imperial Parliament? He thought the manner in which the Government had dealt with this whole matter showed that they had no intention of dealing with the relations of the Imperial Parliament to the Irish Legislature in a fashion which would be consonant with the professions they had made to the House and the country. Experience had shown it was necessary to have a Minister to meet the demands that were made by their relations to the Colonies in that or the other House; and he said that their experience of the past, together with the necessities this Bill created, made the appointment of a Minister to represent Ireland in an authoritative manner in the Imperial Par-

*Mr. Macartney*

liament in the future an absolute necessity. He hoped, therefore, the Government would accede to the Amendment.

\*MR. BRODRICK (Surrey, Guildford) expressed the opinion that not only would the convenience of Parliament be greatly served by having concentrated in one Minister matters relating to Ireland, but that if hon. Members who desired the establishment of a separate Parliament in Ireland would only look at the matter not from the point of view of the interference of an Irish Minister in that House with local affairs in Ireland, but from the point of view of the actual working of a Public Department, they would come to the conclusion that the adoption of such a proposal as that contained in the Amendment was the most important stroke they could make for the success of an Irish Parliament. What was the experience with regard to the Colonial Secretary? Did anybody suppose it likely that on any Colonial measure of importance the views of the Colonies would be considered by the Cabinet in the sense desired by the Colony if the responsibility rested not upon one Minister, but was divided among an irresponsible body of 12 or 14 Ministers? He thought the hon. Member for North Kerry (Mr. Sexton) would himself feel that if Irish action were challenged in that House here would be no greater safeguard for Irish interests being properly represented or Irish opinion being properly expressed in the Cabinet than the fact that an Irish Minister was present there and could also submit them to Parliament. What he thought they suffered from now more than anything else was that at this moment and for years past they had had a majority of Representatives from Ireland and not one of whom had a share in the Government of this country. He was speaking from the Imperial point of view, and he said there were men sitting on the Irish Benches at this moment who were absolutely in accord with the Ministry of the day, but for reasons which did them honour they preferred to hold themselves aloof from actual government and the emoluments of Office. That had been the case for many years. They had had many men sitting below the Gangway who practically had the power in that House, and they had had men sitting in Office who, without the Irish Members, had not

the power. It was unquestionably one of the great weaknesses of the present Administration that they had a large number of supporters many of whom were competent, and would be desirable Members of its Administration, and yet not one of them, for certain reasons, was willing to join the Government. Was the farce really going to be perpetuated of having 80 Irish Members, who by the Bill were to be here for all purposes, not one of whom was to have a seat in this Government, or, if he did, could not be put there to deal with the affairs of the country he was to represent? It seemed to him that if, as was generally admitted, there was to be Imperial control, it was an irrational thing that that Imperial control should not be stereotyped in one person as was the case in regard to our Colonies at the present time. In the case of our Colonies, the highest distinction to which a man looked forward, next to that of Prime Minister, was to become Agent General to Great Britain. It was obvious, then, that it was an admirable Imperial instinct which induced men who had been Prime Ministers in their Colonies to come here as Agents General. If we now got the best men here from these Colonies who had no Bills to pass or money to vote in London, surely they could see what ought to happen in the case of those who were forced to have an Imperial instinct, who were to be obliged to come here to make Imperial laws. For that reason, he thought it would be a great misfortune if this self-denying ordinance laid down by hon. Members (the Irish Members) were to be applicable. It might be reasonable at present, but it would not be so under Home Rule. As to the Office of Irish Minister, he did not enter into that, beyond saying that probably the Chief Secretaryship for Ireland would be held, if one Party were in power, by men like the hon. Member for South Longford (Mr. Blake), and, if another were in power, by the hon. Member for South Tyrone (Mr. T. W. Russell). But to say that no man who might be an Irish Representative in the Imperial Parliament was to have a possibility of dealing with Irish affairs in this House in a responsible situation seemed to him to negative everything contained in the Bill. He hoped, therefore, that the Government would not put

off until another Session what must be, and would be, the result of this measure — the establishment, from motives of convenience as well as of policy, of a Minister who would be responsible for the affairs of Ireland in the House of Commons—a position which could not properly be filled by the Viceroy, who, according to the Prime Minister, might be a Member of the Imperial Cabinet. He trusted the Government would recognise the importance of the question in time, and that they would not allow it to stand until another Session, but would deal with it in the calmer atmosphere of the present on the simple judgment as to what was best for Ireland and best for the Imperial position.

\*MR. BLAKE (Longford, S.) said, the hon. Gentleman who had just sat down had said some gracious things of the Irish Members, which, on their behalf, he acknowledged; but there were some things to which he took exception. The latter portion of the hon. Gentleman's argument was based on the proposition that, unless there were established a Minister for Irish affairs, it would be practically impossible for any one of the 80 Members who were to be sent to the Imperial Parliament to become a Member of the Imperial Government. Well, Scotland had a population of 4,000,000—not as much as Ireland—and that country had six Members in the Cabinet. The hon. Gentleman said the Irish Secretary was not necessarily to be a Member from Ireland, and unless they insisted upon it that he should be, they could not take any part in the government of the country.

MR. BRODRICK said, he did not say "the government of the country." He referred to the government of the country which the Members would come here to represent.

\*MR. BLAKE said, Members, in a sense, came from Scotland to represent Scotland, from England to represent England; but they came not to represent those particular portions of the country only, but to represent the whole United Kingdom. The Members from Ireland would come in the same sense. They did not propose to come here to represent Ireland alone, nor to deal with Irish local affairs alone, or, indeed, at all, but to take their part in the common concerns of the United Kingdom. He denied that there was any self-denying ordinance in their

objecting to the Amendment. There would be a self-denying ordinance, he thought, in assenting to it. He was glad to feel assured that, this Amendment not being agreed to, yet whatever Member of the Government accepted the duty of becoming the medium of communication and the exponent of the views of the Viceroy might still be an Irishman. He regretted, with the hon. Member, that the circumstances of the past had made it necessary, obviously necessary, that the Members of the Irish Party should take no part in the Government of the Empire; and he rejoiced, if he might be allowed to say so, with the hon. Gentleman (Mr. Brodrick) that, on this Bill becoming an Act, those circumstances would be ended, and it would then be competent for them to take a common part in that Government. But he hoped that there would be no such limitation as was suggested—that the Minister to be appointed from among Irishmen would not be merely the Irish Secretary; but that they would be allowed to take such common part in the work of government as their own merits might deserve and as they might justly claim as good citizens of the Empire.

\*MR. GIBSON BOWLES (Lynn Regis) said, he wondered what conclusion Ministers had arrived at as to the particular one of their many Bills they were now discussing. They were supposed to be discussing one which got rid of Irish questions in that House. But that was not so. Ministers seemed to be under the impression that Irish questions were got rid of; but most important questions remained—the questions of the Army and Navy, relationship with the Colonies, finance, the Post Office arrangements, and other important matters—police and the land. Each one of them was of sufficient importance, he thought, to necessitate a Minister in this country. The Imperial matters in Ireland were still to be treated here, and it followed from this that they did not get rid of Ireland. If there was a case for a Minister of Agriculture in England, how was it, in these circumstances, that there was not a case for a Minister for Imperial affairs in Ireland? It was a very remarkable thing that it was suggested there was to be no interference with Ireland after the passing of this Bill. He must point out that there was a most minute and intimate

*Mr. Brodrick*



interference by Clause 12 of the Bill, which provided that the Comptroller and Auditor General was to go into the whole of the finances—not of Ireland only, but of the relative finances of Ireland and England—and who was, upon his own determination in this country, to issue an order, and to send it to the Lord Lieutenant; and upon that act—which was to be mandatory on the Lord Lieutenant—no payment was to be made out of the funds of the Irish Exchequer until the Comptroller and Auditor General had been satisfied. That was an instance of extreme minuteness. Then he came to the question of a Minister. It was admitted there was to be a Minister here to speak for Ireland—the Home Secretary. The only question was whether there was to be a special Minister, or whether, in addition to his duties, the Home Secretary was to undertake this duty in connection with Ireland? It seemed to him that the Prime Minister had shown that want of respect for Ireland and that want of sense of the dignity of Irish affairs of which he had so often accused them (the Opposition). According to the right hon. Gentleman, these affairs were not to be worthy of having a Minister—they were not of sufficient importance to warrant the appointment of a special Minister. The Post Office in England was, in itself, enough to warrant the appointment of a Minister; and yet the Home Secretary was to have all these matters under his control. He thought he was right in saying that the Home Secretary was not, however, to be responsible, so that a fatal duality existed in his case, as in the case of every official under the Bill. The Prime Minister said he objected, because the Amendment would make any appointment of an Irish Minister a statutory post. Yet every one of the instances that he quoted was statutory. He said that the Secretary of State for India was created for special reasons. The appointment was for the same reason that existed in this case. It was expected in the case quoted by the Prime Minister that the work would be very great; in this case they did not know how much work would have to be done, but they knew it would be very great. Another reason given by the Prime Minister was that no Minister should be personally responsible, but the Cabinet should be responsible in its

corporate capacity. That was an entirely wrong and equally false doctrine under the British Constitution. They ought to have fixed responsibility. The proposition of the Prime Minister meant that they should have no responsibility at all. Was the late Mr. John Bright responsible for the bombardment of Alexandria—an act which he denounced as a crime against the laws of nations and the moral law, and upon which he left the Ministry of that day? Would they impeach Mr. Bright in that case? He was a Member of the Cabinet that ordered the bombardment—there was no record kept of Cabinet meetings, and they could not know the extent of his responsibility; but he was a Member of the Cabinet, and the inference was that he was a party to what was done, though he afterwards denounced it. They should have, therefore, in his opinion, a Minister who would be personally responsible, and no corporate responsibility. Another reason put forward by the Prime Minister was that his hon. Friend wished to keep Dublin Castle in existence; but this Bill kept Dublin Castle in existence, because the Lord Lieutenant had added importance as a *quasi*-chief of a *quasi*-independent State. Were they going to burn down Dublin Castle, while they charged £5,000 for the Lord Lieutenant's household? There must be an administrative staff to carry on the business of Ireland, and his impression was that after the Act passed there would be more of the Dublin Castle spirit than before, as the gentlemen below the Gangway (the Irish Members) would be much readier to assert their authority; and if any resistance was made to the laws of the Irish Parliament, there would be a speedier expression than they had yet seen. He certainly thought they ought to have a Minister in this House who would give fair and proper consideration to Irish affairs, and who would be in a position to answer for them to the House.

MR. MAC NEILL (Donegal, S.) said, he opposed the Amendment, because it was distinctly Separatist in spirit and in all its forms. They had been 77 days discussing this Bill; yet hon. Gentlemen did not understand that the scope and object of the Bill was to make Ireland autonomous in reference to local affairs, and to unite Ireland more closely with Great Britain in Imperial matters. They united Ireland more closely in

those matters with themselves, in so far as they did not put any distinctively Irish Minister in the Imperial Parliament. Why should they make this distinction in the case of Ireland? For his part, he thought that Ireland would be more closely united to England under the Bill than ever before. This was not a Conservative proposal. When Ireland had a separate Parliament there never was an Irish Minister in the English House of Commons. The business relating to Ireland was transacted by the Home Secretary. But it was said that Irish affairs would continue with them still. Technically, he would remind them, there was no Secretary of State for Ireland. The right hon. Gentleman (Mr. J. Morley) was merely Secretary to the Lord Lieutenant. The matter was not one of policy. Within the last few years the present Chancellor of the Exchequer (Sir W. Harcourt), when Home Secretary, was asked a question with regard to Ireland, and he admitted that he was responsible. Through circumstances that had arisen during the past 25 years the Chief Secretary had discharged the duties of a Secretary of State, though he was not a Secretary of State; but, previous to that, the business was always conducted by the Home Secretary. The right hon. Gentleman the Chief Secretary would be aware that the great Duke of Wellington held the Office of Chief Secretary while away at the Peninsular War. Before the Union what occurred was that the Lord Lieutenant took over to Ireland with him as Chief Secretary a person who was always a Member of the English Parliament. The only Irish Secretary who did not sit in the English Parliament at that time was Lord Castlereagh. By this Amendment they would create a new Office, which would have a Separatist tendency so far as related to Irish matters. They (the Irish Members) did not wish that there should be any such Office after this Bill became law. They had the greatest wish to do everything they could to avoid the tendency which this Amendment would impose; and they did not, for the reasons he had stated, wish to have an Office of this character.

MR. CARSON (Dublin University): The Secretary for Scotland!

MR. MAC NEILL said, the Secretary for Scotland was only appointed in 1885, and he was not a Secretary of State; he

was merely Secretary for Scotland. There was a Secretary for Scotland for 10 years after the Union, and then the Office was dissolved. The reason of the revival of the Office was that there was no local Parliament in Scotland; if there were such a Parliament there would be no Secretary, for Scotland would no longer have separate concerns in this House. This was a Separatist Amendment, and sought to create an Office which had never yet been created and which would be out of harmony with the scope and object of the Bill, and, therefore, he could not vote for it.

MR. TOMLINSON (Preston) said, he did not think the reasons given by the hon. Member for South Donegal were reasons against the adoption of the Amendment. If they admitted that, on the passing of that Bill, England and Ireland would be drawn more closely together, it seemed to him that in that case—with a separation of domestic and general matters—it would be necessary to have someone in that House who would be responsible for Irish matters. Under the 4th clause certain questions were to have a partial jurisdiction of the Irish Legislature. It was said Irish affairs would be under the control of the Home Secretary; but he was not to be responsible. As regarded the Lord Lieutenant, he might have a seat in the other House. And what was the Lord Lieutenant's position at the present time? Only the other day a question arose in the other House in which the Lord Lieutenant was concerned, and it was found that he need not be there while the question was being considered. How were Englishmen, who had relations with different places in Ireland, to be sure on various points in which they would be interested unless they adopted this proposal? They should, he thought, have some Minister whom they could make responsible? The question had been argued as an Irish question, but he looked at it as an English one. It was as much an English question as an Irish question. They could not separate the two interests. He held that they should have some responsible Minister, as he said, and for that reason he hoped the House would agree to the Amendment.

SIR H. JAMES said, they had never had before such a condition of things as they would have in Ireland when she had a Legislature of her own and 80 Mem-

*Mr. Mac Neill*

bers in the House. They could not, therefore, look at precedent in this matter, and they must be guided by what they considered sound principle and the public advantage. This was much worse than a Parliamentary matter. It represented the Government of Ireland, and reflected the condition of things that would exist in Ireland as well as in this Parliament. The Lord Lieutenant had to act in three capacities. He would be a Lord Lieutenant guided by Irish advice, he would be a Lord Lieutenant guided by Imperial advice, and he would be a Lord Lieutenant acting without any advice at all. As to the first capacity, it might be said that the Imperial Parliament had very little to do with the matter; but with what he did in the second and third capacities this House had everything to do. If he were to have advice from a British Executive, if he was to obtain any benefit whatever from such advice, there ought to be a responsible person to advise him. The answer given by the Prime Minister showed the difficulty of the position the Lord Lieutenant was about to be placed in. In seeking advice as to the subjects excepted in Clause 3, he would appeal to the heads of different Departments according to the subject on which advice was required. In matters of trade he was to go to the Board of Trade. In matters of treason and treason felony he would go to the Law Officers of the Crown, and so on. He was to go to the head of every Department. What did that mean? Why, that every one of the heads of these Departments would have to give an Irish Representative of the Queen advice affecting Ireland without any knowledge of what was occurring in Ireland. It was to be British advice. What did the President of the Board of Trade know about Ireland?

AN hon. MEMBER: Just about as much as you.

SIR H. JAMES: That observation, made with the usual courtesy of hon. Gentlemen opposite, bore upon the whole point of his argument. What would be the use of the Lord Lieutenant coming to him for a legal opinion about Ireland when he knew nothing about the country? The Lord Lieutenant at present was advised by a Chief Secretary who devoted all his official energies to Irish affairs. This most unhappy individual, the Lord Lieutenant, was to have advice wherever he could get it, from men who would

know nothing of the subjects in their Irish aspects. Would it not be well to consider whether, when they entrusted the destinies of the country to such a person, he should not have someone by his side to assist him with advice? But there was another view of the question. The Lord Lieutenant, it might be said, when he was advised by a Department, could find a Parliamentary Representative in the House. But when he acted without advice at all, and a question was raised in that House, who was to answer for him? He was said to be a Minister responsible to that House. Each member of the British Government would say, in this case—"The matter is not in my Department. What have I to do with it?" Where, then, would be the supremacy and the supervision of this Parliament? They had been told over and over again, when they asked how the Imperial Parliament was to undertake the control of the Irish Legislature, that the Lord Lieutenant was answerable to Parliament. But who would be his mouthpiece? Who would represent him?

MR. J. MORLEY: The Government as a whole.

SIR H. JAMES said, the right hon. Gentleman the Chief Secretary was now laying down a Constitutional doctrine. He said that the Government, as a whole, would represent the Lord Lieutenant who would not be advised by anyone, and who was not to look to any individual Minister to represent him. Then it followed that the Government, as a whole, might be censured for acts it had taken no part in and had never been consulted about; and a good Government of Great Britain might be turned out of Office and cease to govern Great Britain because the Lord Lieutenant of Ireland had done something they never knew of. The position taken up by the Government was absurd. It reduced the Parliamentary administration of the country to a condition that did not result from any necessity or policy of wisdom, but from the difficulty of endeavouring to carry on the Government of two countries together—partly separating them, giving them different Executives for some matters and the same Executive for other matters, and all the time endeavouring to maintain the sham of the supremacy of the Imperial Parliament and Executive. He recollected that in an early part of these discussions the hon. Member for

Haddington (Mr. Haldane), who spoke with considerable weight on the matter, had told them that the Executive in Ireland would be answerable to the Parliament of Ireland and Great Britain. Well, if that Executive was to be answerable to the Parliament of Great Britain, ought it not to be represented in that Parliament? How were they to call the Irish Executive to account—how were they to get information from it? Who was to be its mouthpiece, and guide it in all matters that were Imperial matters affecting Great Britain? There would be nobody. Why was that? The right hon. Gentleman the Prime Minister had said they wished to avoid an undue line of interest—

MR. W. E. GLADSTONE: No, no!

SIR H. JAMES said, the right hon. Gentleman's explanation was that there was to be no undue interference with Irish affairs on the part of the Imperial Parliament. But they had reserved to the Imperial Parliament some 20 subjects under Clause 3, and had fixed on that Parliament the duty of taking a lively interest in them, and yet they were not to have any means of developing that interest or of obtaining information except from the public Press. It had been said they were never to let go their hold upon Irish affairs; that they were still to be a United Kingdom and a united Parliament, with 80 Members from Ireland in that House; but, whilst Irish Members were to maintain great power in the Imperial Parliament to control the fate of Parties, they shrank from bearing any responsibility in regard to Irish affairs. ["No, no!"] They shrank from the responsibility of making answer for what was going on in Ireland. The Prime Minister said—"You have nothing to do with Irish internal affairs—"

MR. W. E. GLADSTONE: I never said anything of the sort.

SIR H. JAMES said, he thought the right hon. Gentleman had said they had nothing to do with Irish affairs so as to entitle them to interfere.

MR. W. E. GLADSTONE: It is a subordinate Legislature.

SIR H. JAMES said, the right hon. Gentleman forgot that the Irish Legislature would have to deal with composite matters that were partly British and partly Irish and with matters that were purely Imperial, and of these two classes

the right hon. Gentleman seemed to take no heed. The Amendment showed the position to which the new Irish Executive had brought them; the Lord Lieutenant, in three capacities, was to be represented in the Imperial Parliament in none, and thus, if the Bill passed with the Amendment unaccepted, they would be losing entire control over Irish internal affairs; and if they attempted to interfere in matters which were not purely internal, they would find themselves in a hopeless position, with the supremacy of the Imperial Parliament reduced to a contemptible absurdity.

MR. ARNOLD-FORSTER (Belfast, W.) said, it was at present the right of every aggrieved individual in the United Kingdom to bring his case, whatever it might be, immediately under the view of this great tribunal, and what he wanted to understand was whether what they had feared was to be the fact—namely, that those he represented—a large number of their fellow-citizens in Ireland—were in this matter to be put on an inferior footing to other subjects of the Queen? He wanted to know whether, if a man in Ireland were wronged in respect to matters in the control of the Irish Legislature, or matters which he thought the Irish should have under their control, he was to be deprived of the power of bringing his grievance instantly and effectually under the view of the House? If such were the case, they would have taken from the Loyalists of Ireland one of the few remaining protections they greatly valued. The one thing that kept hope alive in many parts of Ireland was the certain knowledge that any injustice to which they were exposed would be dealt with promptly and effectually in the House of Commons. Would there be no single Minister charged with the duty of answering questions with regard to personal wrong suffered by people in Ireland? for, if not, Irishmen would be the only inhabitants of the United Kingdom whose wrongs would be hidden and not attended to. Was there to be no one in the House capable of giving the true facts as to these grievances, and were there to be no means of reaching the tribunal of public opinion. It was absolutely idle to say that each Minister would answer for the correlative Department in Ireland. The absurdity of it was apparent on the face of it. Was one part of a question to be addressed to the

*Sir H. James*



First Lord of the Treasury, another part to the First Commissioner of Works, and a third part to the Secretary to the Treasury—because it might be that according to strict formularism a question might in substance distribute itself over three Departments? They wanted a man who had abundant experience like the present Chief Secretary for Ireland, and those who had preceded him in Office. He was not sure that it would not be better to have another Minister in the place of a Chief Secretary, but he honestly said that the experience even a Chief Secretary acquired, and the knowledge he possessed, fitted him for dealing with these matters infinitely better than any of the colleagues who sat beside him. Was he to tell his constituents that they were to be placed in a permanent position of inferiority as compared with Englishmen and Scotchmen? If so, he should feel free to comment on the message, and to point out that with less consideration went less obligation.

MR. GERALD BALFOUR (Leeds, Central) said, he rose to put a question to the Chief Secretary. When in Committee they were discussing the question of the power committed to Colonial Governors of reserving the assent of the Crown to Bills passed by Colonial Legislatures, the Leader of the Opposition put this case: Supposing the Irish Parliament were sitting when the Imperial Parliament was in Recess and no Cabinet Council could be summoned without inconvenience, would it not be well to give the Lord Lieutenant power to suspend the assent of the Crown to any Irish Bill? The Chief Secretary answered the question by saying that a Cabinet would have to be summoned if the question became a Cabinet question, but that ordinarily it would not become such. Generally the Minister would deal with the question on his own responsibility, and be ultimately responsible to the Cabinet. He (Mr. Gerald Balfour) rose to ask whether, in giving that reply, the Chief Secretary had in his mind a single Minister such as was contemplated by his hon. Friend, or, if not, what was meant?

MR. J. MORLEY said, that the answer to the hon. Member was not very difficult. When he said that the Minister in such a case would act on his own responsibility he referred to the Minister, whoever he might be—the Home Secre-

tary or someone else — on whom the Cabinet devolved the responsibility of representing them upon the particular occasion. [*Laughter.*] Hon. Gentlemen appeared to be amused. Any one Secretary of State, the hon. Member must be aware, could perform any duty or office devolving upon any other Secretary of State; and there could be nothing ridiculous in the possibility that owing to the state of Business the Irish Department would at one time be represented by one Minister and at another time by another.

Question put.

The House divided :—Ayes 135; Noes 188.—(Division List, No. 280.)

\*SIR R. TEMPLE (Surrey, Kingston) said, he rose to move an Amendment to Sub-section 3, Clause 5. He wished to provide that the Lord Lieutenant should give or withhold the Royal Assent to Bills "in accordance with instructions given by Her Majesty." The sub-section as it stood provided that the Lord Lieutenant should give or withhold assent on the advice of the Executive Committee of the Irish Privy Council as a rule, subject to special instructions he might receive from Her Majesty in special cases. His contention was that the Lord Lieutenant should exercise the veto as an Imperial officer, and as a sentinel for England and the Empire—without being bound by the advice of the Executive Committee. Pray what was that Committee? Yesterday's Debate had shown that ultimately it would be an Irish Act that would regulate the constitution of the Executive Committee, and the House might be quite sure that sooner or later—and sooner rather than later—every Member of the Committee would belong to the Irish Executive and sit in the Irish Legislature. These men would enjoy the confidence of the majority, and would, in the highest and truest sense of the term, represent the Irish Legislature, just as much as the Ministers who sat on the Front Bench opposite represented the House of Commons. These were the men who were to advise the Lord Lieutenant as to the exercise of the veto. If any objection were taken to an Irish Act, or to a series of Irish Acts, an appeal might be made to the Lord Lieutenant. What, however, would be the use of such an appeal? The Lord

Lieutenant would only, as a general rule, exercise the veto on the advice of those who were the leading Members of the Legislature, whose measure he was called upon to set aside, and who were probably the men who had procured the passing of the measure. To say that the Lord Lieutenant was to exercise the veto on the advice of these men was to turn the veto into a sham—to make it an unsubstantial, shadowy, and unreal thing. An appeal to the Lord Lieutenant to exercise the veto would really be an appeal from the Irish Executive to the Irish Executive—an appeal not from Philip in one condition to Philip in another condition, but from Philip sober to Philip still sober. If the veto was to be of any use it must be independently exercised by an Imperial officer, acting solely on the advice of Her Majesty's Imperial advisers. He could imagine no case in which the veto (as proposed in this Bill) would be of any real value, except a case in which an objectionable Bill, having been passed by one Ministry, an appeal for the exercise of the veto was made to their successors. These successors might advise the Lord Lieutenant to veto. This, however, was so improbable a case as to verge on the impossible. The veto had been often put forward as the one thing upon which the Protestants and the Ulster Loyalists were to rely, but it was even more of a sham than the other safeguards under the Bill. It was conceivable that the Government might say that, wherever real wrong had been done, or reasonable complaint might arise, the Lord Lieutenant might, under the latter part of the sub-section, apply to the Home Government for Her Majesty's instructions, and that those instructions might be so far extended as to constitute rules governing almost any case that might arise. However, he could hardly conceive the Government saying that, because they might just as well accept his Amendment. It was conceivable that it would be said that if the veto were exercised in the way he proposed the Irish Ministers would resign. If, however, they did, it was obvious that they would not submit to the supremacy of England, and that they had only accepted a shadowy supremacy on the ground that it was never likely to be brought into operation. He submitted that there were great dangers throughout

the Bill, and the only chance of the Opposition was to obtain real safeguards, and that those safeguards should be administered by persons who were entirely independent of the Irish Legislature and dependent upon no one except the Parliament of Great Britain. He earnestly hoped that the House would give consideration to his Amendment and would preserve intact and inviolable the exercise of the veto.

#### Amendment proposed,

In page 3, line 39, to leave out the words "on the advice of the said Executive Committee," and insert the words "in accordance with instructions given by Her Majesty."—(*Sir R. Temple.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. W. E. GLADSTONE: I must pay one compliment—I really cannot offer many—to the hon. Baronet, and it is to this effect: that I think he has devised for Ireland a provision that has hitherto been totally unknown in every country in Europe. The ancient practice always was to admit large legislative freedom in secondary and dependent States, but to view with extreme jealousy the grant of Executive power. That was the way England proceeded in the case of Grattan's Parliament. I do not recollect whether the veto was ever trusted to as a mode of thwarting the action of Grattan's Parliament, though the Government sometimes made use of its interest for the purpose of defeating measures in that Parliament. The hon. Member proposes to introduce a new state of things. He proposes to take away from the Executive Council all semblance of functions in regard to the legislation of Ireland. That is a most extraordinary reversal of the practice heretofore pursued for the regulation of the Government. I do not require to discuss it at any length. I must admit that the hon. Baronet has fairly laid the axe to the root of the tree. After we have introduced a Bill and debated it 77 days or more for the purpose of giving local freedom to Ireland, he, in an Amendment of a few words, proposes entirely to destroy that Bill. It would be a mockery to Ireland or to any other country, under the name of a Bill for the Government of Ireland, to carry a measure under which the passing or non-passing of every Bill which had

gone through the two Houses of the Irish Legislature was to be determined by directions from England. I confess I do not see the wisdom or advantage of this method of coming back again and again, and again and again, first in one form and then in another form, to a principle which has been affirmed by the House over and over again after unexampled discussion and, under the name of modest and unassuming Amendments, framing provisions which would be totally fatal to the whole object and purpose of the measure. I think we have made every necessary provision not only for meeting British feeling, but also for meeting British jealousies in regard to legislation. The Government have provided—and the Representatives of Ireland have taken no objection to it—that in any case in which the Sovereign or her advisers see occasion to interfere they will be entitled to interfere. The hon. Baronet is not satisfied with that, and proposes to sweep away the whole legislative freedom which it has been the purpose and the work of this lengthened Session to give to Ireland. I need hardly say that the Government are totally unable to listen to any such proposal.

MR. A. J. BALFOUR: I am somewhat astonished at the brief reply which the Prime Minister has deemed adequate in the case of this very important Amendment. The reply of the right hon. Gentleman amounts to this: that the proper way of checking the action of a subordinate Parliament is by putting limitations on its Executive power.

MR. W. E. GLADSTONE: I did not say that, or any thing like it. I dealt with the history of the question.

MR. A. J. BALFOUR: Then what did the right hon. Gentleman say? I listened, as I always do, with attention and interest to his observations, and I say that that was the impression produced by his argument. I certainly understood him to convey to the House that there were two ways of dealing with a subordinate Parliament, one by circumscribing its Executive power and the other by limiting its Executive power. The right hon. Gentleman derided the hon. Baronet, and said that he had devised a new Constitution for Ireland—a thing which never entered into the head of the right hon. Gentleman. Such an argument comes with peculiarly bad grace from a Government

which has been occupied during the early hours of this evening in checking our efforts to circumscribe the Executive powers of the Irish Legislature. Up till 8 o'clock we were trying to carry out the policy which the right hon. Gentleman now says is so superior to the proposal of my hon. Friend, and surely it is a little ungracious on their part to say that my hon. Friend may not try any other method to check the Irish Government in any undue exercise of the powers conferred by the Bill. The right hon. Gentleman, when he interrupted me a little while ago, said he was dealing with the history of the question, but I venture to think it is hardly adequate to say that he bases his statement on an historical survey. He appears to think that my hon. Friend has devised an entirely new method for dealing with a subordinate Parliament—a method not only unknown to history in general, but to Ireland in particular. But in Grattan's Parliament every Act had to be submitted to the Great Seal of England; in other words, the policy of this Amendment is the policy of Grattan's Parliament. My hon. Friend has gone back on Irish history, and has given again to Ireland more than was taken from her by the Act of Union, of which we have heard so much. The clause provides that the Lord Lieutenant is to give his assent to every Act of the Irish Legislature on the advice of the Irish Administration, except in those cases in which the English Government choose to interfere. In other words, this Parliament potentially has the power to stop every Act of the Irish Legislature. Certainly the clause does not lay it down that they are to exercise that power, but it leaves the whole question in a condition of ambiguity as between the Lord Lieutenant acting on the advice of one set of advisers and on that of another set. My hon. Friend desires to simplify that matter. It is evident that the Amendment will not increase the power of the Irish Administration, and it is equally certain that it does not increase the responsibility of the British Administration, because if the latter have the power to stop all legislation they must also have the right to examine it. These powers and responsibility will remain unaltered if the Amendment is accepted, and the only change it will effect will be to get rid of the present absurd ambi-

guity. Can the Government, in the whole circuit of Representative Constitutions, point to any case in which the veto was given to one set of individuals to be exercised by them unless another set chose to interfere? I think the matter is really beyond argument. Let us make this question quite clear. I agree that in practice pettifogging interference would be impolitic, and perhaps impossible; but, as the Government leave to the British Government the responsibility of stopping Irish legislation, the Amendment will remove the ambiguity of the clause without bringing in its otiose and ridiculously illogical features. I hope that in this country we shall always have sensible Ministers from whatever Party they may be drawn, and if we have then any interference under the Amendment or under the clause will never be constant or of a pettifogging character. Then why complicate the whole machinery of the Bill by introducing this fifth wheel of Irish advice, when British interference is to be always supreme? The Amendment will work no injury to Ireland, and I hope that the Government will not oppose it out of any undue deference to Irish susceptibilities.

\*MR. BLAKE (Longford, S.) said, the clause, instead of being marked by ambiguity, inutility, and impracticability represented what they believed would be the practical working of the Constitution. It was expected—and the right hon. Gentleman had acknowledged to a considerable extent the justice of the expectation—that the Acts of the Irish Legislature would become law, not by virtue of the consideration of them by the Imperial Executive—although they might be exposed to review by that Executive—but on the advice of the Irish Executive. They believed that normally the Bills would be such as ought to be passed into Acts; and, if so, it was fitting that they should become law only on the responsibility of the Irish Executive, and it should not be that the Imperial Executive should make them into Acts by its assent. Of course, if there were any grave abuse of Imperial interests or of delegated powers then the Imperial Executive could intervene and assert its power by dissent. There certainly was no ambiguity in the clause, which represented the state of things that would exist in practice.

MR. J. CHAMBERLAIN (Birmingham, W.): I looked at the Amendment

on the Paper with every desire to appreciate its importance, and I confess that although it deals with an important question—namely, the subject of the veto—I do not think that the Amendment is likely to raise any serious Debate. So far as the Irish Parliament and the Irish Executive are concerned, the veto will be a matter of form. One is not likely to veto the act of the other which has placed them in power. It could only be necessary to do such a thing when a grave mistake has been made, which can only be remedied by destroying the Bill. I cannot speak with certainty, but I do not believe there is any example in which a British Executive has advised the Queen to veto a Bill passed by a Parliament in which that Executive is in the majority. When we talk about the veto, therefore, it is not the veto of the Irish Executive to which we attach importance. It is the veto of the British Executive which we are told is the real security, and the, in fact, most cardinal feature of the Bill. Now, the hon. Baronet, feeling that the veto of the Irish Executive was never likely to be used, and constituted, therefore, a useless provision in the Bill, proposed to simplify the clause by omitting it. That appeared to be a small matter. But what did the Prime Minister say about this apparently innocent Amendment? He said that the hon. Baronet was once again deliberately attempting to reverse the principle which had been again and again adopted in the House, and that he was going by this Amendment to sweep away the legislative freedom of the Irish Ministry, thereby taking away from the Irish Executive the power to veto their own Bills.

\*MR. BLAKE: It is the power of assenting to their own Bills for which I contend.

MR. J. CHAMBERLAIN: It is not necessary for them to assent. The Bills will pass without their assent, unless they are dissented from by the British Executive. The only power you are asked to take away is a power which will never be exercised unless the Parliament makes some extravagant blunder. I must say I am utterly astonished at the importance which the right hon. Gentleman attaches to this Amendment. He has accused the hon. Baronet of introducing an absolutely new principle into our discussions and into the Constitution we are making



and he has described my hon. Friend as a *rara avis*—a sort of black swan in Constitution making. He has spoken as if this were an absolutely new proposal, whereas it is precisely the same proposal which the Prime Minister himself put forward in the Bill of 1886. And, forsooth, because my hon. Friend is but a humble imitator of the right hon. Gentleman, the Prime Minister falls foul of him, and declares that he desires to sweep away the whole legislative freedom of the Irish Parliament. I never before heard of such a remarkable instance of forgetfulness as that displayed by the right hon. Gentleman.

MR. DARLING said, he thought there was one consideration that might reconcile the Government to the Amendment and induce them to accept it. Throughout the Debates on the Bill it had been impressed upon them that they must do nothing in any way to hurt the unreasoning susceptibilities of Irish legislators. Now, he would venture to point out that if the Amendment were carried the sole and only veto which could be applied in the case of an Irish Bill would be the same veto as was applied to any Bill which had passed through that House. There was no particular degradation in that; but if the clause was passed as it stood, then a Bill which had passed through all its stages in the Irish Legislature and received the assent of the Executive Committee could be vetoed by the direct interposition of the Sovereign acting on the advice of a Minister in the House of Commons. Could anything be more humiliating to the Irish people than that? Surely it would be better for the Prime Minister—recognising that first thoughts were often best—to revert to his proposal of 1886?

VISCOUNT WOLMER (Edinburgh, W.) thought the Amendment of the hon. Baronet might very well be argued in two parts—firstly, as to what it proposed to cut out of the Bill; and, secondly, as to what it recommended in substitution of the omitted words. When in Committee it was proposed to omit the words “on the advice of the said Executive Committee,” it was pointed out to the Government that the words were not to be found in the Constitution of any one of our Colonial Legislatures; that they were not contained in the original Australian Acts, in the British North America Act, nor in the Act estab-

lishing Constitutional Government at the Cape of Good Hope. The Government admitted the accuracy of the statement, but replied that they were now acting on what experience had proved to be necessary. But, if that were so, why, in 1885, in the scheme for a Federal Council for Australasia, were no words inserted analogous to those in this Bill? Since those arguments were used in Committee, the whole scheme of the Government had been changed, for at that time it was supposed that the Irish Members in the Imperial Parliament would have no direct influence on purely English and Scotch legislation. But the present situation was that 80 Irish Members would be in the Imperial Parliament exercising what would be, to all intents and purposes, all the powers of a veto on Scottish and English legislation, while English and Scottish Members would have no control over Irish legislation akin to the manner in which they had some influence on Colonial legislation, though the Colonies were not represented as Ireland would be in the Imperial Parliament. Hence the defence of these words set up in Committee would not hold good now.

MR. SEXTON said, the right hon. Gentleman the Member for West Birmingham had sneered at the hon. Member for South Donegal, who, he thought, was quite capable of holding his own as against the right hon. Gentleman, and certainly as against the inarticulate legislators above the Gangway on the Opposition side, whose only contributions to the Debate were ironical laughs. The right hon. Gentleman, he thought, had fallen into an extreme error in his effort to prove that the language of the Bill of 1886 upon this subject was identical with the proposition which was now made by the hon. Baronet. What was the language of the Bill of 1886?—

“Subject to any instructions that may from time to time be given by Her Majesty, the Lord Lieutenant shall give or withhold his consent to Bills framed by the Irish Legislature.”

What was the plain meaning of these words? That there was to be a system of assent, which was only to be affected in an exceptional manner by instructions from Her Majesty. These instructions were, as he had said, exceptional, and in those cases upon whose advice was he to act? Obviously upon the advice of the Irish Legislature, and, therefore, it was

clear that the provision in the Bill of 1886 was the same as the provision in this Bill. He agreed with the Prime Minister that the change involved by this Amendment would be a fundamental change, and that it would strike at the very root of the Bill. According to the words in the Bill the system was to be a system of deference to local opinion. The Lord Lieutenant was to give or withhold the Royal Assent in ordinary cases upon the advice of the Irish Ministers, and what the Imperial Parliament contemplated and what they hoped for—he would not answer for the right hon. Member for West Birmingham—was that the functions — legislation and Royal Assent—might go on in Ireland, and that the Imperial Parliament would not be troubled in the matter. The system proposed by the hon. Baronet was that the Lord Lieutenant should, in accordance with the instructions of Her Majesty, give or withhold his assent. What was the meaning of that? It meant that the Lord Lieutenant would, in the event of any Bill passed by the Irish Legislature, be obliged to refer it to the Imperial Parliament. How, then, could the Lord Lieutenant act at all unless he sought those instructions? and, therefore, it would be incumbent upon him to refer every Bill passed by the two Houses of the Irish Legislature to the Imperial Government. That was not the system proposed by the Irish people, or which the Irish people would accept, and that was not the system which the interests of the British people required.

SIR H. JAMES (Bury, Lancashire) said, that in one sense the discussion of what was in the Bill of 1886 was almost academic; but in another sense it was very important, because it appeared to him that the alteration from the proposal in that Bill was one of enormous concern, inasmuch as it went a greater length in favour of Irish interests as opposed to the interests of Great Britain. He could not for one moment read the Bill of 1886 as the hon. Member for North Kerry (Mr. Sexton) had read it. The words of the Amendment as proposed left the clause identical with the clause in the Bill of 1886.

MR. SEXTON: The words "subject to" are used in one case, and "in accordance with" in another.

SIR H. JAMES said, that that did not make the slightest difference; and yet,

*Mr. Sexton*

on the strength of this unimportant variation, the Prime Minister said that a perfectly new faith was being propounded, and that no such suggestion had ever been heard of before. The Amendment did not take away the liberties of the Irish Parliament. It merely took away a shadow, a phantom, and a nullity. That was the veto to be exercised on a Bill by the very Executive who carried the Bill. By taking away that veto they took away nothing. It was not a veto at all. It was only exercised when a blunder was made in a Bill, and not on the ground of policy. The question simply was whether all powers of legislation were to be handed over to the Irish Parliament without a check, or whether they should retain the supremacy of the Imperial Parliament.

Question put.

The House divided :—Ayes 196 ; Noes 146.—(Division List, No. 281.)

MR. MACARTNEY (Antrim, S.) rose to move, as an Amendment to Clause 5, page 4, line 3, at end, to add—

"Passed by the two Houses of the Irish Legislature declare either that he assents to any such Bill in the Queen's name, or that he withholds the Queen's assent, or that he reserves the Bill for the signification of the Queen's pleasure."

The object of the Amendment was to make Sub-section (3) read as follows :—

"The Lord Lieutenant shall, on the advice of the Executive Committee but subject to any instructions given by Her Majesty in respect of any Bill passed by the two Houses of the Irish Legislature, declare that he assents to any such Bill in the Queen's name, or that he withholds the Queen's assent, or that he reserves the Bill for the signification of the Queen's pleasure."

It being Midnight, Further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

SALE OF GOODS (*re-committed*) BILL  
[Lords].—(No. 441.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. BARTLEY (Islington, N.) asked for information concerning the Bill.

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.): My explanation of this Bill will be very brief, and I hope it will be acceptable to the House.

It is entirely non-contentious, and it is a Bill mainly aiming at the codification and consolidation of a very important branch of the law. It was introduced in the form in which it substantially now stands during the last Parliament by the then Lord Chancellor, and, with the assent of the present Lord Chancellor, passed through the House of Lords after a very careful examination. It was re-introduced by the present Lord Chancellor, and, with the assent of the late Lord Chancellor, passed through the House of Lords in the present Session. It then came to this House, and was referred to a Select Committee, upon which Committee all sides of the House were represented. Among those who were Members of that Committee were my hon. and learned Friend opposite, the Member for the Isle of Wight (Sir R. Webster), my hon. and learned Friend the Member for North Hackney (Mr. Bousfield), the Solicitor General for Scotland, and several other distinguished lawyers in this House. After very careful examination it was passed by that Committee, and I hope the House will not interpose any difficulty in the way of its passing now.

SIR R. WEBSTER (Isle of Wight): The Bill certainly did receive very careful consideration by the Select Committee, and I think anyone who has studied the subject and has had an opportunity of reading the Bill will, I am sure, be of opinion that it does represent the law as it now stands.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

\*MR. GIBSON BOWLES (Lynn Regis) asked if it was to be understood that there was nothing new in the Bill? Was it simply a codification?

SIR C. RUSSELL: There is only one qualification I have to make in respect of that, and that is this: that while certain characteristics of the Scotch law are preserved, certain others are removed and brought into harmony with the existing law in this country. The approximation of the laws between the two countries has received the assent of Representative Bodies in Scotland, and there were several Scotch Members on the Committee.

MR. TOMLINSON (Preston): Then, so far as the English law is concerned, it is simply a codification?

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SIR C. RUSSELL: Practically so.

SIR R. WEBSTER: There is an alteration in the English law later on in the Bill. Certain modifications are introduced into the English law, but they are in accordance, as the Attorney General has rightly said, with the Scotch law. They are not of any great importance.

Clause agreed to.

Clauses 4 to 11, inclusive, agreed to.

Clause 12.

MR. HANBURY (Preston) requested further information.

SIR R. WEBSTER explained the effect of the clause, and said, he ventured to think that the Amendments made were Amendments of the law in a matter in which the Scotch law had been in advance of ours for some time.

MR. BARTLEY said, he thought attention ought to be called to the fact that only a few minutes after midnight could be given to this Bill, which enormously affected the interests of the people, while a whole Session was being devoted to an abortive Bill which was not going to pass.

Clause agreed to.

Clauses 13 to 31, inclusive, agreed to.

Clause 32.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. Hanbury.)

Motion agreed to.

Committee report Progress; to sit again upon Monday next.

STATUTE LAW REVISION (No. 2) BILL.  
[Lords].—(No. 437.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

[Mr. A. O'CONNOR in the Chair.]

MR. T. M. HEALY (Louth, N.), on a point of Order, called the attention of the Chairman to the fact that the record was that on a former occasion when the Chairman rose to put the First Schedule he (Mr. Healy) said he had an Amendment, and, as he understood, the Chairman had not time to put the Question, "That this be the First Schedule of the Bill."

THE CHAIRMAN (Mr. A. O'CONNOR) said, he had a clear recol-

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lection of what occurred. He put the Question, "That this be the First Schedule of the Bill," because there was no Notice of Amendment on the Paper, and he was not aware that the hon. and learned Gentleman proposed to move one.

MR. T. M. HEALY: Then I will move my Amendment to the Second Schedule of the Bill.

Second Schedule.

MR. T. M. HEALY said, he wished to move an Amendment. The right hon. and learned Member for Bury (Sir H. James), alluding the other night, on the Home Rule Bill, to the Habeas Corpus Act, described it as obsolete.

MR. VICARY GIBBS (Herts, St. Albans) moved to report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Vicary Gibbs*,)—put, and agreed to.

Committee report Progress; to sit again upon Monday next.

#### EDUCATION CODE (SCOTLAND) (EVENING CONTINUATION SCHOOLS).

##### MOTION FOR AN ADDRESS.

MR. W. WHITELOW (Perth) rose to move—

"That an humble Address be presented to Her Majesty, praying Her to withhold Her assent from the first of the detailed Schemes appended to the Scotch Code of Regulations for Evening Continuation Schools (1893)."

He said, that this was a matter of such great importance to the cause of higher education in Scotland, that it was absolutely necessary that the House should be invited to pass judgment upon it. He did not object to the principle of the scheme. He did not object to any part of the population being taught the duties of citizenship; but he did object to the way in which the scheme was drawn up, believing that it opened up sources of the greatest danger to the system of education in Scotland. If the duties of citizenship were taught under a well-considered scheme there could be no possible objection to it; but he was afraid that one of the results of the scheme of the Education Department would be to lead to a great number of educational appointments being made, not for educational proficiency, but rather for political opinion. He could not see how it was possible to prevent any teacher who might be appointed to carry on the evening continuation school

from teaching not only the facts about voluntary schools, but going further, and teaching whatever theories they might hold on the benefits or otherwise of the voluntary system. It would also be possible for the teachers to teach the scholars their own particular theories about land legislation. How could they expect that in all the schools the same theories, whether they were right or wrong, would be taught? There was the question of the appointment of Justices, and the question of public-houses and licences, on which there was the widest possible difference of opinion. Even if the teaching under the Code was going to be limited entirely to the facts of the case, he did not believe that they would get all teachers in the whole Kingdom to teach the facts of licensing and public-houses in precisely the same way. On page 18 were found such subjects as the composition of the House of Lords. At this time, especially, it seemed to him hardly probable that they would get all their teachers in their continuation schools to agree as to what should be done as to the powers of the House of Lords. Then, under the working of the Parliamentary system, they had such subjects as the rights of majorities and minorities. This was just the time when this was a question that no man could lecture or teach upon without showing some Party spirit. Coming to the question of Trades Unions, their history and work, and Co-operative Societies, their work and production, he thought it was wise that their children should be taught what was the history and the work actually done, and what was the power of Trades Unions. But if the teachers were to have the power to impress upon their students that every single one of them ought to enter a Trades Union, and that it was the duty of a citizen to enter a Trades Union, then he thought a very great danger was opened up, and that this Code, instead of being what he thought it might be, a substantial advantage to the people of Scotland, would be a very great disadvantage, and would do great harm to the cause of education. With regard to the question of co-operation, he had received a large number of hysterical telegrams upon the Motion he had put down for to-night. His view on the question was that there was no harm in children being taught what Co-operative Societies were,

*The Chairman*



and what their objects were ; but he objected to these schools being made, as it were, a sort of cheap advertisement for Co-operative Stores against retail traders. It seemed absurd to allow a teacher to enforce on his pupils that it was the duty of every citizen of the Empire to join a Co-operative Society. If it was amended in that spirit, he thought it would be of great service to education in Scotland ; but he could not admit for a moment that there was any reason why Co-operative Societies or Trades Unions should be laid before the people of the country as things which it was the duty of all citizens to join. He submitted that under this Code it was perfectly possible for teachers to take that view of the matter. If the intention of the right hon. Gentleman, when he drew up the Code, was that only facts and not matters of opinion should be taught, he must see, on further consideration of the Code, that his intention had not been altogether carried out. If his object was to teach facts, and not to allow opinions to be scattered broadcast over the country, he had not attained it ; and if his object was to allow opinions to be scattered broadcast over the country, then, for that reason alone, the Code most certainly deserved to be condemned. In the first issue of *The Labour Gazette* one of its objects were stated to be to

“ Provide a sound basis for the formation of opinion, but not to supply opinions.”

This Code not only provided a sound basis for the formation of opinions, but, more than that, it bristled with temptations to the teachers to supply opinions to their students. That was the point he wished to attack in this Code ; and in making a protest against this part of the Code, at all events, he thought he had a right to demand the support of hon. Members in every part of the House. This was in no sense a Party question, for even if political opinions were to be taught by the teachers in Scotland he did not think it would make any difference whatsoever in the balance of Parties in that House ; and it was not because he thought there was any danger of political doctrines with which he did not agree being spread about that he objected to the Code, but because he thought all Parties ought to combine against putting in force in Scotland a Code which, whilst it was bound to be of the greatest service if it was well-considered, nevertheless, under the present conditions, and as it

stood, was in his belief calculated to be a source of the very greatest danger. He begged to move his Motion.

Motion made, and Question proposed,

“ That an humble Address be presented to Her Majesty praying Her to withhold Her assent from the first of the detailed Schemes appended to the Scotch Code of Regulations for Evening Continuation Schools (1893).”—(Mr. W. Whitelaw.)

\*THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): I think the House will probably wish that an answer should be given at the very earliest moment to the Resolution which the hon. Member has brought forward. The hon. Member has practically started three questions : First, in the evening schools, ought the scholars to receive instruction on the conditions of the life of our people and on the duties of citizens ? secondly, is the detailed scheme helpful or hurtful towards this object ? and, thirdly, ought there to be any mention in that scheme of co-operation ? Generally speaking, it is considered that Scotland is more go-ahead than England in matters of education. Rightly or wrongly, it is so considered ; and it is certainly a curious thing that the English Code, containing exactly the same principles as those contained in this Scotch Supplementary Code, has already passed through the ordeal of this House without any comment or opposition, and has become the law of the land. Now, Sir, in the first place, I say most emphatically that in these continuation schools the scholars should be taught their duties as citizens. They are youths on the threshold of life, or men of mature age, because I am glad to say that there is no limitation in the age of the scholars taught in these schools. It is right that these people should be taught subjects in which they can take a manly interest ; and the very last subject which I would exclude would be the municipal, national, and social institutions under which we all live and do our work in this world. If people do not learn these things properly—and I am quite certain that the institutions under which we live can only be properly learned if they are taught tolerably early in life, and taught systematically—if they do not learn these things properly they will mislearn them. It is very much better they should be taught these things on a system than that

they should pick them up piecemeal from Party newspapers and leaflets on which-ever side these Party newspapers are written, and I am quite certain good teachers can make these subjects both intelligible and palatable. Really if you keep out these manly questions which concern the real life of a citizen you come to this: that they are only to learn such stories in England, how Alfred burnt the cakes, and in Scotland, how Bruce watched the spider. That is a very insufficient pabulum on which to bring up people. Then objection is taken because women come to these schools. For my part, in these days, when women take so active a part in politics on both sides, I am glad that they come to these schools, and there is as much reason that they should be informed as men on matters in which it is plain that they take a great interest, and which they are thoroughly qualified to understand. The next question is, if the duties of a citizen are to be taught in our public schools in Scotland as they are taught in England—and I would not have Scotland behind England in this matter—is this detailed Code the proper means for teaching them? I should just like any hon. Member of this House to try to draw up, in the space of five pages, a better system of suggestions to teachers how to teach these questions. This is an extremely useful paper. The real difficulty to a teacher is not to discourse on subjects, but to know the subjects on which he discourses. I appeal to hon. Members here, when they have a speech to make, whether the real difficulty in making that speech is not to find the words, but to supply the heads of the subjects on which you are to discourse? We give the teachers the heads, and in my opinion there is no serious objection which can be taken to these heads which we have proposed. The hon. Member says the teachers are going to talk about School Boards and School Managers, and that they may give their own opinion about voluntary education and the religious difficulty. The hon. Member, as a Scotch Member, ought to know that there is a School Board in every single parish in Scotland, and there is no religious difficulty in Scotland. The School Board is just as much an institution in Scotland as the Parochial Board or Commissioners of Supply, and people ought to know what a School

Board is. The hon. Member talks of the powers of the House of Lords, and says that political instruction may be given by the teachers upon that question. Why, Sir, if you are so careful of the political morals of the people of this country that you will not even mention the House of Lords historically and constitutionally, I say this is not a free country at all, and our education is not adapted to a free country. For my own part, I believe that this sketch of the civic life and civic duties will give just as much assistance to teachers in teaching as is given to them by other schemes to which the hon. Member does not object, and which instruct the teachers in natural science. Then we come to the question at the root of this discussion, and without which we should have no discussion at all at this time of the night—namely, the subject of co-operation. It is said that no encouragement should be given to the system of co-operation in schools which are supported by the nation; no assistance to co-operation and no assistance to the question of Trades Unionism. I will just read the passage on which the contention of the hon. Member rests.

“Associations of Workers:—

“(1) Trade Unions, their history and work. Labour disputes and strikes. Arbitration and conciliation.

“(2) Co-operative Societies; their work in distribution and production.

“(3) Friendly Societies. Training in habits of industry; thrift and self-help. Value of the work of voluntary associations in the education of the adult citizen.”

Now, Sir, my answer to the charge of the hon. Member lies in that passage. Is it, or is it not, the opinion of hon. Members that something should be learned by Scotchmen, as it will be learned by Englishmen, about Trade Societies, about Friendly Societies, and about Co-operative Associations? I can only say, looking back at my own education, that I know nothing so valuable in it as the fact that when I was a young fellow I got a very clear explanation about the financial system of this great country from one who knew it very well, and my belief is that there is no method of really understanding the essence of these great questions except by being told what are the essential features of these great questions early in life, by people who are anxious to instruct you. The individual employers of

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labour may think that their interests may suffer by instruction being given about Trades Unions. Individual speculators in building land may think they might suffer by Building Societies. Insurance Companies may think they may suffer by Friendly Societies, and in the same way, no doubt, manufacturers may think they may suffer by co-operative manufacturers, and traders may think they may suffer by co-operative distribution. If we strike out one of these topics, we must strike out all, and we must attempt to give a picture of what interests the great masses of our fellow-countrymen and the circumstances under which they live, leaving out such important things as all the methods by which the working classes can combine to protect themselves and better their own circumstances. No, Sir; no harm and no injustice can come from teaching people to understand these things. Harm and injustice come from ignorance and dulness, and not from light and understanding. I must say I believe those people who think they suffer from Trades Unions and from productive Associations are very much mistaken if they think, in the long run, they will suffer more by people understanding the real story. If there is any country in which Co-operative Societies and Trades Unions are to be ignored—for I understand the hon. Member has an equal objection to either Co-operative Societies or Trades Unions being regarded as institutions of the country which may be mentioned above your breath—[Mr. W. WHITE-LAW: No, no!] Well, he spoke so. [Cries of "No!"] If there is any country in which these matters cannot be ignored it is in Scotland. Now, it is not my business to praise or to recommend at this moment either Trades Unions or Co-operative Societies; but I say that both the one and the other are solid facts of Scotch life which every Scotchman ought thoroughly to understand. Parliament has legislated over and over again for a great many years past in order to enable both the one and the other class of this society to work without the trammels which formerly beset it; and it will, indeed, be a very strong thing if now we say that they are institutions of such a class that nothing is to be mentioned of them in a course of education the object of which is to enable mature citizens to understand the circumstances in which

they live; and, for my own part, I can see no more reason against explaining what co-operation is than, in a State-assisted College, of explaining what banking is. I remember in the old days in this House hearing Mr. Bright arguing in favour of an extension of the franchise, with the assent of all parties, on account of the admirable self-reliance of the Rochdale Pioneers. Are we seriously, in the same walls which heard Mr. Bright, going to pass a Resolution which states that to teach our young citizens what the Rochdale Pioneers are is an undertaking which Parliament will not consent to sanction? All we do is to explain what co-operation is. That is all we do, and it is all that those interested in co-operation ask. I have got before me a paper which has been circulated by the Co-operative Union, and in that they say clearly—

"We do not ask for co-operative teaching in the evening schools, that is in the sense of recommending students to become co-operators, but only so far as to show these students of citizenship what are the facts actually in existence around them."

That is what they ask, and that is what we teach. The School Boards are not obliged to give instruction in the duties of a citizen; they are not obliged to give instruction in co-operation; but if they give either one or the other they must give it in a fair and reasonable spirit. It is quite true that a stupid teacher might, if he was permitted by a School Board, use this detailed scheme of the duties of a citizen to enforce his own views about politics, just as he might use, if he was stupid enough, historical literature to enforce those same views, just as he might, if he was ill-advised enough, use the opportunities of religious instruction to enforce his own denominational creed. But, Sir, we trust the School Boards, and if the School Boards do not do their duty it will be our business to look after them. There is enough common sense in our people to render all such fears as these illusory; and if the result is that teachers in teaching this Code of the duties of a citizen teach their own Party politics, all I can say is we shall withdraw it. What is the text book of the duties of a citizen? It is written by an hon. Gentleman in this House—I will not give his name—who holds diametrically opposite views to myself in politics. I have read every single word of that text book, and there is not a single word of it I would

not willingly have taught in any school in England or Scotland. But when you come to the question of teaching our citizens the main outlines of English and Scotch history and political institutions, on both sides of the House I venture to say all are patriots before they are Party politicians ; and in the same way, if in teaching what co-operation is a teacher makes himself an advertiser of Co-operative Stores and an adversary of the retail traders, all I can say is we should not only do what the hon. Gentleman asks and withdraw the detailed scheme, but we should forbid this teaching of the duty of citizens which would have been so misused being one of those subjects for which any grant might be given at all. But to say that such a province of human life and human interest as the association of working men to promote that which they believe to be the welfare of their class is one outside the pale of what ought to be explained to the citizens of this country is a proposition to which I, for my own part, will never consent, whether you look at it either from the point of view of private justice or public expediency.

MR. A. J. BALFOUR (Manchester, E.): I think that this new development of the Education Code is extremely deplorable, and nothing that has fallen from the right hon. Gentleman—whom I had always regarded hitherto as an advocate of liberal education—has at all changed my views. The right hon. Gentleman tells us that all the public virtues which we are so ready to recognise in his public career have been derived from some early training in the knowledge of the finances of this country. I do not know that finance has ever been a matter in which the right hon. Gentleman has shown any special ability or great interest in. The right hon. Gentleman was a distinguished scholar. He was a distinguished scholar in a great school, and subsequently a distinguished scholar in a great University. I will undertake to say that neither in the curriculum of the great school nor the great University was any one of these subjects taught which he now thinks it absolutely necessary to cram down the throats of the persons who attend the continuation schools. The right hon. Gentleman has entirely mistaken the point of the objection taken by my hon. Friend behind me. He has no objection

to co-operation as such ; he has no special affection for retail trade as such ; he neither objects to Trades Unions, nor does he wish, so far as education is concerned, to start a propaganda in their favour. What he objects to is starting controversial subjects as subject-matters of education. I do really think that no human being with the slightest spark of humour could have conceived such a scheme as this. The object of the teacher, I read—

“ Should be to proceed from the known and the familiar, such as the policeman and the ratepayer, to the more interesting facts of English history.”

Do not let us begin English history with the policeman. It is a grotesque way of introducing people to a knowledge of the institutions of their country. I cannot conceive how this Code which is common to England and Scotland could have passed this House, so far as England is concerned ; and I am glad that, at all events, a Scotch Member was found, even at the last moment, to protest against its being dragged into the educational system of our country. The right hon. Gentleman tells us that Scotland has always been ahead of England, and he does not wish it to lag behind England in adopting this Code. Let me tell him that nothing could be more humiliating than to be dragged up to England if this is to be the result. If this is the result, let us stick to our system. [*A laugh.*] However it may excite the merriment of hon. Gentlemen below the Gangway, it has, at all events, produced no inconsiderable results in the history of Scotland. The right hon. Gentleman told us he never would be a party to excluding from school teachers the power of dealing with such important matters as Trades Unions or co-operation. But, Sir, you cannot help these matters being treated controversially. You can only profit by such teaching if you can secure that the schoolmaster takes an external and detached view of these subjects, and as many schoolmasters are interested in co-operation they must take a view in favour of that form of trading, and they cannot be expected to take an absolutely impartial view of the matter. I think the Code altogether degrades education to a purely utilitarian level, and even that utilitarian level does not give an idea of the depth to which we should sink if such controversial matter were to be

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included. If controversial matter were once admitted, the whole subject of continuation schools would become a matter of Party controversy; worse than that, you would choose your schoolmaster, not because he knew literature, history, or science, but because he either opposed or believed in Trades Unions and co-operation. If you once do that the whole idea of education will be absolutely ruined, and you may as well throw up your continuation schools altogether. I think this is a deplorable and even ludicrous departure, and I hope the Government will reconsider the position, and that next year, when the Code comes before us, this melancholy addition to it will be omitted.

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham): As I have some responsibility in the drawing of this Schedule in connection with the English Code, I should like to say one or two words with reference to the strong expressions used by the right hon. Gentleman the Leader of the Opposition. Almost in his very first sentence he said that the Secretary for Scotland wanted to cram down the throats of the children this syllabus. We do not desire to cram anything down their throats. The teacher will not be asked to teach anything unless the School Board or the management of the school are satisfied that it is a useful subject, and that the teachers are competent to give instruction in it. The right hon. Gentleman says that the syllabus is full of controversial subjects. There are very few subjects in education which are not controversial after we get beyond the mere elementary subjects. How are we going to teach history without raising controversy?

**MR. A. J. BALFOUR** said, that history was not connected with the current Party politics of the day. By controversy he did not mean doubt. There were great doubts about the exact truth of early Roman history; but that did not enter into the ordinary controversial matters of the day.

**MR. ACLAND**: How can you teach the history of the last three centuries, as we wish to teach it, without constantly touching some of what are the most bitter and difficult controversies unless we trust the teachers in the elementary schools, just as we trust our Professors

in the Universities? Unless the teachers can be trusted to teach those subjects properly, they must be looked upon in a very different light to that in which I look upon them. I cannot join with the right hon. Gentleman in saying that there is anything ludicrous in introducing the subject of the duties of citizenship. It is a perfectly voluntary subject, with which managers and teachers are perfectly capable of dealing. An authority which the right hon. Gentleman respects, Professor Seeley, has said, again and again, that in his opinion this very subject is one which ought to be taught to young people from the ages of 14 and 15 onwards in our schools, and even in Universities.

**MR. A. J. BALFOUR**: What subject is that?

**MR. ACLAND**: This very subject.

**MR. A. J. BALFOUR**: Co-operation?

**MR. ACLAND**: This very subject of the rights and duties of citizens. I understand the right hon. Gentleman to say that it is ludicrous to teach that.

**MR. A. J. BALFOUR**: I said syllabus.

**\*MR. ACLAND**: The right hon. Gentleman must know that it is impossible to teach the subject without such a syllabus. I venture to say that nine-tenths of the syllabus contains uncontroversial matters, which any reasonable teacher can teach without any danger of controversy whatever. I would further say that any sensible teacher who can teach history reasonably and well can also give instruction on the three subjects here specially referred to. When the representatives of the Trades Congress and Co-operative Union waited on me and asked that these subjects should be introduced, it was testimony to the fact that they were anxious their children should be brought up with knowledge which would be useful and serviceable to them as citizens.

**MR. HUNTER** (Aberdeen, N.) said, the speech of hon. and right hon. Gentlemen opposite showed that the Scottish Tories were the worst of all Tories, as no English Tory had been found to take such an obscurant view. The position adopted by hon. and right hon. Gentlemen was the result of

pure ignorance of the nature of the instruction given in the elementary schools. The hon. Gentleman who introduced the Motion admitted that, at all events, it was proper that children in the continuation schools should be taught the facts with regard to Co-operation and Trades Unions; that was all that they could be taught under the Code. The Inspector who gave the marks on which the grants were based did so not because of the opinions of the scholars upon the Land Question or theories about Co-operation, but because of solid information acquired.

SIR R. TEMPLE (Surrey, Kingston) desired to say that this matter had not escaped the notice of English educationists, and, if these subjects were included in next year's Code, they would probably have to take objection.

Question put, and negatived.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL.

Lords Amendments agreed to.

#### MESSAGE FROM THE LORDS.

That they have agreed to,—

Canal Rates, Tolls, and Charges Provisional Order [Leeds and Liverpool Canal] Bill, Canal Rates, Tolls, and Charges Provisional Order [Navigation of the Rivers Aire and Calder] Bill, Canal Tolls and Charges Provisional Order [Grand Junction Canal] Bill, Canal Tolls and Charges Provisional Order [Warwick and Birmingham Canal] Bill, without Amendment.

Elementary Education (Blind and Deaf Children) Bill, with Amendments.

Marking of Foreign Meat, &c.,—That they do communicate to the Commons Report from the Select Committee of this House on Marking of Foreign Meat, &c., with the Proceedings of the Committee, Minutes of Evidence, &c., as desired by them in their Message of this day.

#### MERCHANT SHIPPING BILL.

On Motion of Mr. Mundella, Bill to consolidate enactments relating to Merchant Shipping, ordered to be brought in by Mr. Mundella, Mr. Secretary Asquith, and Mr. Burt.

Bill presented, and read first time. [Bill 446.]

*Mr. Hunter*

#### LAND REGISTERS (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to improve the system of Registration of Writs relating to Heritable Property in Scotland, ordered to be brought in by The Lord Advocate, Sir George Trevelyan, and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 447.]

#### METROPOLIS MANAGEMENT (PLUMSTEAD AND HACKNEY) BILL.

Mr. Attorney General and Colonel Hughes nominated Members of the Select Committee on Metropolis Management (Plumstead and Hackney) Bill, with Three Members to be added by the Committee of Selection.—(*Mr. Marjoribanks.*)

#### COPYHOLD (CONSOLIDATION) BILL

[*Lords*].—(No. 438.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

#### SHERIFF COURTS CONSIGNATIONS (SCOTLAND) BILL.—(No. 430.)

Read the third time, and passed.

#### NAVAL DEFENCE ACT, 1889.

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the grant, out of the moneys to be provided by Parliament, of sums not exceeding in the aggregate £1,350,000, for the completion and equipment of ships under "The Naval Defence Act, 1889," and to amend the said Act.

Resolution to be reported upon Monday next.

#### PUBLIC HEALTH (LONDON) ACT (1891) AMENDMENT BILL.—(No. 431.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

#### TRUST INVESTMENT BILL [*Lords*]. (No. 434.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at ten minutes after One o'clock.

## HOUSE OF COMMONS,

Friday, 25th August 1893.

## QUESTIONS.

## LABOURERS' COTTAGES IN THE EDENDERRY UNION.

**MR. KENNEDY** (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state the number of applications for new cottages received and refused by the Edenderry Board of Guardians under the Labourers' Acts from their inception up to 31st March, 1893; what were the general reasons assigned by the Guardians for refusing the labourers decent houses to live in; what advance has been made towards completion of the 13 cottages which the Local Government Board, Ireland, report as in progress or contracted for on 31st March, 1893; and whether, in view of the fact that the number of cottages authorised by the Local Government Board for the Edenderry Union is over 50 per cent. less than the average number authorised for all the other Unions of Leinster, he will cause the Local Government Board to expedite the passage of the schemes now under the consideration of or promoted by the Edenderry Board of Guardians?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): (1.) The reply to first paragraph is 110. (2.) The general reasons assigned for the rejection of these applications are "informality of representations," "cottages not considered necessary," "applicants not looked upon as labourers within the meaning of the Acts." (3.) Of the 13 houses referred to in paragraph 3, five are finished, three are commenced but not finished, and five are not commenced. (4.) New schemes, having in view the erection of 37 cottages, were submitted to the Local Government Board for approval on the 2nd instant. The documents in relation to these are at present under examination, and, if found regular, a local inquiry will be held at the earliest date possible.

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**MR. KENNEDY**: Does the difficulty arise in consequence of the existence of an Orange Lodge in the district?

[The question was not answered.]

## PENSIONERS AS PUBLIC OFFICIALS.

**MR. POWELL-WILLIAMS** (Birmingham, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the North Dublin Union, in a recent public advertisement for a night watchman, lay it down as a condition that no pensioner is eligible; and whether this condition is intended to exclude men because they have served in the British Army or in the Royal Irish Constabulary, but who may otherwise be fit and proper persons to be appointed?

**MR. J. MORLEY**: I have seen a copy of the advertisement referred to. The Local Government Board have been informed by the assistant clerk of the Union that, so far as he is aware, the condition was not inserted in the advertisement for the purpose of excluding men because they had served in the Army or Constabulary, but because the Guardians believe that there are a large number of respectable men unemployed in the City, and that the Guardians are anxious to give preference to persons of this class so as to prevent the possibility of their becoming a burden on the rates.

**MR. POWELL-WILLIAMS**: I venture to ask the right hon. Gentleman whether he is of opinion that that is the real reason for the exclusion—[Cries of "Order!"]

**\*MR. SPEAKER**: Order! It is impossible to hear what the hon. Member says.

**MR. POWELL-WILLIAMS**: I wish to ask the right hon. Gentleman whether he thinks the reason alleged by the Clerk of the Guardians is the real reason?

**MR. J. MORLEY**: Mr. Speaker, I submit—

**\*MR. SPEAKER**: That is a question which I think the right hon. Gentleman cannot answer.

**MR. POWELL-WILLIAMS**: Will the right hon. Gentleman allow me to ask him this—whether, considering that the Government are taking energetic steps to secure employment for pensioners in England, he will make some representations to the Board of Guardians in

Ireland, so that a similar policy may be pursued there?

MR. J. MORLEY: No, Sir; I do not propose to do anything of the kind. It is quite true that the House expressed a very strong opinion in favour of the employment of pensioners; but upon the occasion of that discussion in this House there were Members, including, I think, the hon. Member for Battersea (Mr. J. Burns), who adopted the view that persons who had pensions were not on that account well fitted to compete with ordinary labour. I think that is not an entirely unreasonable view; but whether it is or not, I am not going to press any views on that subject upon the independent Local Bodies in Ireland.

#### CATTLE RATES ON THE NORTH EASTERN RAILWAY.

MR. MAINS (Donegal, N.): I beg to ask the President of the Board of Trade whether he is aware that the North Eastern Railway Company have charged cattle dealers since the 1st February last £2 10s. 2d. per truck for cattle between Carlisle and Darlington, and also the ordinary railway fare between these two towns—namely, 6s. 8½d. which, added to the £2 10s. 2d., makes a total of £2 16s. 10½d., whereas the rate prior to the 1st February last was £1 16s. and a free railway ticket to the cattle dealer between these two places; whether he is aware that farmers in and around Darlington, owing to the excessive drought this season, are not able to pay the Irish cattle dealers the extra price for cattle owing to the rise in railway rate on this particular line, and that the goods agent of the Carlisle branch recently stated that all other goods were back to the old rates, and that the cattle rate would be back immediately to what it was before, and that the extra rate that had been paid per truck for cattle from 1st February last would be refunded; whether he is aware that the Glasgow and South Western Railway Company give cattle dealers railway tickets at half ordinary fares by their cattle trains, and the Midland Railway Company give cattle dealers return tickets at single fares by ordinary trains, and that the through rate on cattle from any station on the Belfast and Northern Counties Railway Company, Ireland to Carlisle, is the same now as it was prior to 1st

*Mr. Powell-Williams*

February last—namely, 6s. per head; and whether the Board of Trade will use its powers, and see that the North Eastern Railway Company will charge the same rates as other Railway Companies?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): I have received a Memorandum from the North Eastern Railway Company traversing the allegations referred to in the question. It is rather long to read to the House, but I shall be happy to furnish the hon. Member with a copy. In brief, the company inform me that the figures quoted are incorrect, and that a comparison is made between a rate quoted last year for a "small" waggon and a rate quoted this year for a "medium" waggon. I gather that the change of practice as to free passes for drovers has been adopted by all Railway Companies, on the ground that the privilege has been abused. The Board are prepared to communicate with the company with reference to any specific instances of unfair or unreasonable rates.

MR. TOMLINSON (Preston): Does the right hon. Gentleman concur in the opinions expressed by the Railway Company?

MR. MUNDELLA: I have no evidence at all on the question. I am only quoting the expression of opinion by the Railway Company. The Board of Trade cannot compel the Railway Company to give free passes.

MR. TOMLINSON: This is a rather important matter. Are the Board of Trade prepared to acquiesce in the statement of the Railway Company that the privilege has been abused without making an independent inquiry on their own account?

MR. MUNDELLA: The Board of Trade could not undertake such an inquiry. It would be a Roving Commission.

MR. MAINS: Have not the Railway Company increased the rates exacted prior to the 1st February last in the sense at any rate of charging the drovers their fares?

MR. MUNDELLA: If the hon. Gentleman asks me whether they have increased the rates, I must request him to give me specific instances, and on those I will make representations to the Railway Company.



**MR. MAINS :** I am referring to the charges for cattle traffic. I am instructed that the rates have been increased considerably.

**MR. MUNDELLA :** I shall be glad if the hon. Gentleman will furnish me with specific particulars.

**AMPNEY ST. PETER NATIONAL SCHOOL, CIRENCESTER.**

**MR. H. L. W. LAWSON** (Gloucester, Cirencester) : I beg to ask the Vice President of the Committee of Council on Education whether he is aware of the circumstances under which Mr. W. Scott, head teacher (Ampney St. Peter National School, near Cirencester), has received a notice of dismissal, and that such notice is unauthorised by Managers recognised by the Education Department ; whether, from September, 1887, to April, 1892, Mr. Scott performed his duties to the satisfaction of all concerned ; and also further assisted the Rector of the parish by teaching in the Sunday School and giving assistance in the choir ; and whether, having regard to the action taken, he can and will interfere to give effect to the wish of the Managers recognised by the Department ? I may further ask if the right hon. Gentleman thinks assistance in parish work should be a necessary qualification for an engagement as school teacher ?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham) : No, Sir. The Department have not received any intimation from the Managers of this school with regard to the dismissal of Mr. Scott, but it would not be their duty to notify the Department of a change of teacher until he had actually left. I understand from correspondence which has appeared in the Press that Mr. Scott is under notice to leave, and that in one of his letters to Mr. Scott the Rector of Ampney St. Peter expressed himself as well satisfied with his work in the school. The Department has no power to interfere in the matter, nor to determine whether the Rector's letter was sufficiently authorised by the Managers. As I have already stated, the question of legislation with a view to improving in some degree the position of teachers as regards dismissal is under my consideration.

**THE ACCIDENT ON THE TRALEE AND DINGLE RAILWAY.**

**SIR T. ESMONDE** (Kerry, W.) : I beg to ask the President of the Board of Trade if he can state the cause of the last accident on the Tralee and Dingle Railway, when a train ran off the line at the curve approaching the bridge over the river at Ballydunlea ; whether the line is safe for traffic ; and if it is the fact that the Directors of the Tralee and Dingle Railway have refused to carry out General Hutchinson's recommendations for the better management of the line ?

**MR. MUNDELLA :** The Manager informs me that one end of a goods waggon got off the rails owing to two of the tie-rods breaking. He says the speed of the train was only three miles an hour, and that the accident is grossly exaggerated. The Board of Trade are unable to say that the line is unfit for traffic. The Board much regret that the Directors have refused to carry out General Hutchinson's recommendations with one exception ; but I am in communication with them on the subject, and I trust they will not adhere to the unsatisfactory position they have assumed.

**MR. SEXTON** (Kerry, N.) : Considering that three lives were lost by the recent accident on this line, are we to understand that the Board of Trade have no means of compelling the Directors to carry out General Hutchinson's recommendations ?

**MR. MUNDELLA :** We are pressing them upon the subject.

#### MILITARY PAY IN INDIA.

**MR. DANE** (Fermanagh, N.) : I beg to ask the Secretary of State for War whether the remuneration of all officers, warrant officers, non-commissioned officers, and soldiers serving in the Army mainly consists of two parts—namely, (a) a payment in actual money, and (b) certain free allowances in kind, such as quarters, fuel and light, exemption from rates and taxes whilst occupying Government buildings, servants (according to rank) to all officers, and forage to mounted officers, and in the case of soldiers of all ranks, free rations, free uniforms and clothing, and free education for themselves and their families ; whether, when regiments go to India, the

above-described remuneration is also given to non-commissioned officers and men partly in cash and partly in kind, as at Home and in other parts of the Empire, but to officers in cash only, a certain addition according to rank being made under the name of "India pay and allowances," in lieu of the allowances which he receives in kind elsewhere; and are such "India pay and allowances" paid to officers in the now greatly depreciated rupee; and, if so, could immediate steps be taken to provide such officers more generally with quarters in kind, having regard to the fact that rents of houses at Indian stations have risen so greatly, especially at the large seaport towns of Kurrachee, Bombay, Calcutta, and Rangoon?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): The answer to the first two questions is in the affirmative. Indian pay and allowances are paid in rupees. It has long been the practice to provide officers with quarters, as far as possible, in forts, Presidency towns, and other places where officers find a difficulty in renting houses. We cannot say how far it would be possible to extend the provision of public quarters for officers, but the subject is one which is under the constant consideration of the Government of India.

#### WEST CORK TRAIN SERVICE.

MR. E. BARRY (Cork Co., S.): I beg to ask the President of the Board of Trade, with regard to the resolutions recently received from the Public Bodies in West Cork requesting a better train service for that district, he will be prepared to use his good offices with the Directors of the West Cork Railways to induce them to grant a more efficient train service?

MR. MUNDELLA: I will certainly use my good offices with the Directors to induce them to afford a more efficient service; but, as I have said before in answer to questions of the hon. Member, the Board of Trade would be glad to know what further facilities are desired.

#### ALLOTMENTS EXTENSION ACT.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the hon. Member for Merionethshire, as representing the Charity Commissioners, if

*Mr. Dune*

the Commissioners have established any schemes since 30th March, 1886, in which the provision prescribed by Section 4 of "The Allotments Extension Act, 1882," is not inserted in cases in which the endowments include land other than buildings and the appurtenances of buildings?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): The Charity Commissioners have not, so far as they are aware, since the date to which the hon. Member refers—which is the date of an Order of this House for a Return relating to this matter—established any scheme, such as is comprised within that Return, in which the provision prescribed by Section 14 of "The Allotments Extension Act, 1882," is not inserted.

#### IRISH REPRESENTATION IN THE IMPERIAL PARLIAMENT.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, inasmuch as the Government have not proposed any Amendment to the Second Schedule of the Government of Ireland Bill, it is their intention to suggest any such Amendment at a later stage elsewhere, or whether they still propose to abolish in Ireland the single-Member system of county representation, and to heavily reduce the representation of counties while leaving that of small boroughs untouched?

MR. J. MORLEY: The right hon. Gentleman is, of course, aware that the Government have expressed their entire willingness to reconsider the subject if there was any prospect of such a concurrence between the various quarters of the House as would enable them to introduce the change into the Bill by consent. Unfortunately, that concurrence they have not been able to obtain, and, therefore, as things now stand, it is not open to us to introduce the change, although we think that in some particulars advantage would result from it.

#### ST. KILDA.

DR. MACGREGOR (Inverness-shire): I beg to ask the Secretary to the Admiralty if he has received a Petition from the natives of St. Kilda, in the outer Hebrides, where they live isolated for nine months of the year from all com-

munication with the rest of the world, craving for an occasional visit of the gunboats cruising in Northern waters during the autumn, winter, and spring months; and whether it will be possible to comply with this request?

**THE SECRETARY TO THE ADMIRALTY** (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): I received the Petition two days ago from my hon. Friend, and I can only at present assure him that the request is receiving immediate and careful consideration. A gunboat visited the Island last year.

#### DEFERRED CRIMEAN PENSIONS.

**CAPTAIN NAYLOR-LEYLAND**: I beg to ask the Secretary of State for War whether the whole or any portion of a Royal Warrant is now in force under which soldiers who completed 12 years' service about the period of the Crimean War were entitled to a deferred pension upon attaining the age of 50; and whether such a pension is now given to those who joined under those conditions of service?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The Regulation alluded to was cancelled by the Royal Warrant of July 23, 1864, but it remains in force for all who enlisted before that date, and between 400 and 500 men annually make good their claims to deferred pension under it.

#### TELEGRAPH LEARNERS.

**CAPTAIN NAYLOR-LEYLAND**: I beg to ask the Postmaster General whether telegraph learners joining in March last were obliged to undergo compulsory vaccination, to submit to their unsound teeth being drawn, and subsequently to pass a simple examination; whether, having submitted to the first two of these requirements, they found that the simple examination was changed in April last to a severe one, at which a great number failed; whether, seeing that numbers of the telegraph learners submitted to the Government initial requirements solely upon the understanding that the examination was simple, would he substitute the original for the present examination in these cases, and not make the present examination retrospective; would he be prepared to consider any individual case of hardship brought to

his notice under these Regulations; upon what date was the syllabus of examination changed; and what notice of such change was there given to the candidates?

**\*THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): Candidates for situations in the Post Office are required to show that they have been vaccinated, and that their teeth have been attended to by a properly qualified dentist. The standard of examination for telegraph learners was slightly raised on the 1st April last, and due notice was given of the alteration on the 28th February. I am unable to express an opinion as to any individual case without further information; but if the hon. Member will forward to me particulars of any case that he has in mind, I will investigate it.

**MR. GIBSON BOWLES** (Lynn Regie): Will the right hon. Gentleman consider the desirability of holding the examination first and drawing the candidates' teeth afterwards?

[The question was not answered.]

#### PRECAUTIONS AGAINST CHOLERA.

**MR. MACDONA** (Southwark, Rotherhithe): I beg to ask the President of the Local Government Board whether the prohibition of the importation of rags, enacted on 11th and 13th July, 11th August, and 14th December, 1892, was on the 9th instant revoked; and, if so, what other precautions the Local Government Board propose to take to prevent the introduction of and spread of cholera and other noxious diseases in this country?

**\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.): So much of the Order as prohibited the importation of rags packed in bales as merchandise has been revoked. The Local Government Board will act as they have hitherto done under the advice of their Medical Department with respect to taking all precautions to prevent the introduction and spread of cholera in this country.

**MR. MACDONA**: Have there not been several cases of cholera since the revocation of the Order?

**MR. H. H. FOWLER**: Not that we are aware of.

## LIGHTS AT THE OLD HEAD OF KINSALE.

MR. ROSS (Londonderry): I beg to ask the President of the Board of Trade if the Commissioners of Irish Lights have applied for the sanction of the Board of Trade to their proposal to establish a fixed electric light at the Old Head of Kinsale; is he aware that, in the opinion of experts of high standing, the Giant Lens Lighthouse gaslight would be much more effective; has Mr. J. R. Wigham, of Dublin, offered to pay the expenses of a practical test of the comparative merits of these two lights; and will he insist on this test being made?

MR. MUNDELLA: I have replied to the first of these questions in my answer to the hon. Member for Dublin City, St. Stephen's Green Division, on June 19 last, in which I stated that the Trinity House declined to approve the proposal to establish an electric light at Kinsale Head. I am aware that there is a difference of opinion as to the comparative merits of electric, gas, and oil lights in foggy weather. The Board have received an offer from Mr. Wigham to pay the expenses of experiments with his new "intensity burner" and "giant lens." The Board referred this offer to the Irish Lights Commissioners and Trinity House for their observations. In reply, the Irish Lights Commissioners sent to the Board of Trade a copy of a Report from their scientific adviser on the subject, and of a letter they had written to Mr. Wigham, dated July 17, stating that they do not consider it would be wise to enter into any experiments at present. The Trinity House have asked for further information respecting the desired experiments. It is not the province of the Board of Trade to instruct the Lighting Authorities in such matters, and we have no power to insist upon such tests being made.

MR. W. JOHNSTON (Belfast, S.): Will the right hon. Gentleman take the earliest opportunity of testing the appliance of Mr. Wigham?

MR. MUNDELLA: I am afraid my opinion would be of very little value as against that of the scientific adviser to the Irish Lights Board, who has made a very exhaustive Report.

MR. T. M. HEALY (Louth, N.): Would the right hon. Gentleman obtain the assistance of the Member for West Birmingham?

MR. MAURICE HEALY (Cork): Can the right hon. Gentleman say what the Irish Lights Board have done or are doing towards improving the light at Kinsale?

MR. MUNDELLA: I believe it is not proposed to do anything at present at the Old Head of Kinsale.

MR. MAURICE HEALY: Has anything been done recently?

MR. MUNDELLA: No.

## SUPERVISORS OF INLAND REVENUE.

MR. H. FORSTER (Kent, Seven-oaks): I beg to ask the Secretary to the Treasury whether he has received from the Chairman of the Inland Revenue Commissioners any representation of the grievances of the supervisors and officers of that Department; and, if so, whether he has come to any decision in the matter?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): Very great improvements in the position of Excise officers have been effected in the past three years, involving an annual increase of £50,000 in mean salaries. The Board of Inland Revenue do not admit that anything which could be properly described as a "grievance" now exists, though some modifications in the existing arrangements may be desirable. I have not received any proposal on the subject from the Board.

## THE SMALL HOLDINGS ACT.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Board of Trade whether he has seen the statements in *The Labour Gazette* for August, to the effect that during the month of July seven County Councils had resolved to put the Small Holdings Act into operation; that two of these were negotiating to obtain land; and that one (Holland, Lincolnshire) had decided to purchase 136 acres of land for the purposes of the Act; and whether this statement in *The Gazette* might be regarded as an official one?

MR. MUNDELLA: The information given in *The Labour Gazette* with regard to the Small Holdings Act is, like all the information published in *The*



*Gazette*, obtained from the best sources available to the Labour Department, and every care is taken that it should be accurate. The statements are not derived from Reports officially made to a Government Department, and in that sense are not official.

In reply to a further question,

MR. MUNDELLA said, the Board of Trade had every reason to believe in the accuracy of the local correspondents.

#### THE POST OFFICE VOTE.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he will undertake to bring on the Post Office Vote at such an early hour of the day as will afford ample facilities for the discussion of the telephonic communication in this country and the recent arrangements made by the Post Office on the subject?

MR. A. MORLEY: I fear it is not possible, considering the period of the Session when the Telegraph Estimates are likely to be reached, for me to give the suggested undertaking. I am now engaged in carrying out the policy of the late Government, which was fully considered and discussed at the time and was approved by the House of Commons, and with regard to which a Committee of the House of Commons specially reported that the details should be settled on the responsibility of the Government.

#### THE NATIONAL TELEPHONE COMPANY.

MR. MACLURE (Lancashire, S.E., Stretford): I beg to ask the Postmaster General if he can state when the agreement between the Post Office and the National Telephone Company is likely to be concluded and laid before the House?

MR. A. MORLEY: A draft is now under the consideration of the Company, and I trust that no undue delay will arise in the conclusion of the agreement.

MR. JACKSON (Leeds, N.): May we expect to have it before the Recess?

MR. A. MORLEY: I am afraid not. There are so many matters involved.

CAPTAIN BAGOT (Westmoreland, Kendal): I beg to ask the Postmaster General whether, in the event of the Telephone Company's trunk lines being purchased by the Post Office, any and

what arrangements are being made to safeguard the subscribers to exchanges of private or municipal companies using the trunk lines from having their messages unduly delayed, or placed under any other disadvantages as compared with similar messages from the exchanges of the National Telephone Company?

MR. A. MORLEY: In reply to the hon. Member, I have to say that when the telephone trunk lines come under the entire control of the Post Office their use will be subject to the usual regulations, which forbid any favour or priority being given to particular persons.

#### THE CASE OF MR. JAMES SADLEIR.

MR. MANDEVILLE (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of Mr. James Sadleir, of Brookeville, Tipperary, who in resisting legal seizure of cattle made on his lands on 16th July, 1892, twice struck with stones Sergeant Mullany, Royal Irish Constabulary, while protecting the Sheriff's bailiff, with such violence that Sergeant Mullany's life was for a long time in danger; has the sergeant been since able to resume duty; will he explain why Mr. James Sadleir was not arrested on the date of this occurrence, and why, on his being arrested the following day, he was immediately bailed out, although Sergeant Mullany's life was in imminent danger; why has Mr. James Sadleir not yet been tried for the assault; has he observed that Chief Justice Sir Peter O'Brien did not ask at the last Clonmel Assizes why Mr. Sadleir has not yet been tried, although three Assizes have already passed in that county since the assault was committed; is he aware that Mr. James Sadleir gave evidence as an informer and Crown witness against the traversers at the Tipperary coercion trial in 1890, and then stated on oath that his wife had received £50 from the hon. Member for South Tyrone; and what steps, if any, does the Government propose to take in reference to this case?

MR. J. MORLEY: It is a fact that Mr. Sadleir, in resisting a seizure made on his lands on the 11th of July, 1892, seriously assaulted Acting-Sergeant Mullany, of the Royal Irish Constabulary, by striking him with a stone, which inflicted a deep wound. Sadleir was

arrested the following day and admitted to bail by the Magistrates, who did not consider the injured man's life in danger. The sergeant has not since been able to resume duty. It is also the fact that the trial has been three times adjourned as stated. On the last occasion, at the Summer Assizes, medical evidence was given that the sergeant was suffering from melancholia and mental aberration, and a postponement was applied for by the Crown and granted by the Court. There is some hope that Sergeant Mullany will be sufficiently recovered to appear as a witness at the next Assizes; but if he be not able to appear the Attorney General will then consider the advisability of putting the accused on his trial on the other evidence that may be available. With regard to the fifth paragraph, I have already pointed out that the Lord Chief Justice, who presided at the late Assizes, consented to the postponement of the trial till the next Assizes. As to the sixth paragraph, the hon. Member for South Tyrone is in his place, and can say what he wishes on the subject.

**MR. T. W. RUSSELL (Tyrone, S.) :** As the last paragraph of the question practically amounts to a charge that I suborned this man to give evidence at the Tipperary trials, I will state to the House exactly what took place. In August, 1890, I was entrusted with the distribution of funds for the relief of the boycotted in Tipperary. Those funds were publicly subscribed and publicly administered. I had not, of course, the local knowledge to guide me, and I requested three gentlemen, the Rector of Tipperary, the Presbyterian Minister, and the local Magistrate, to give me the necessary advice in administering the funds. As far as Mr. Sadleir is concerned, he had been originally one of the campaigners. When his name was brought before me for relief I was informed of that, and I point-blank refused assistance. I was afterwards applied to again by the local committee. The application was to the effect that Sadleir's wife was a most deserving woman; that she was the daughter of a clergyman in the county, and was suffering great hardships with her family on account of the boycott. On these representations I authorised the amount to be paid to Mrs. Sadleir, and I declined to have anything to

*Mr. J. Morley*

do with Mr. Sadleir. This was before the trial took place, and before I knew anything about the trial as likely to take place. I administered the fund to the best of my ability, and to this moment I do not regret that I was able to help a woman whom I have since satisfied myself deserved the relief that was given. I have never had the slightest connection with Mr. Sadleir. He was a party to the Plan of Campaign, and he backed out of it when he found that it would not pay. I left him to his fate, but I am glad that I was able to save his family from starvation.

**MR. POWELL-WILLIAMS (Birmingham, S.) :** May I ask whether the latter portion of the question is strictly an orderly question to put?

**\*MR. SPEAKER :** The hon. Member spoke to me about the question, and I said that if what was stated in the question was a statement of fact, and had been made on oath, I could not prevent its being put in the question. But I thought that the hon. Member for South Tyrone was fully entitled to make any personal explanation he wished after the question had been put.

**MR. T. M. HEALY (Louth, N.) :** May I ask whether Sergeant Mullany applied to the Tipperary Grand Jury for compensation for injury, and what was the effect; and why, if the sergeant's depositions were taken in the ordinary way, were they not put in so that the trial might be proceeded with?

**MR. J. MORLEY :** I am not sufficiently well informed as to the details of the matter to answer at once; but if there is any significance in the question I will make inquiries.

**MR. SEXTON (Kerry, N.) :** I beg to ask whether, during the whole 13 months which have elapsed, the sergeant has been unable to give evidence at either of the three Assizes; and whether there is not sufficient evidence without that of the sergeant?

**MR. J. MORLEY :** There is other evidence, but the Attorney General thought it would be better not to go on with weaker evidence when he hoped to get stronger. The Lord Chief Justice entirely concurred, and I think the course quite justifiable.

MR. SEXTON : In any event, I suppose the trial will come on at the next Assizes ?

MR. J. MORLEY : I have said that the Attorney General is considering the advisability of proceeding with the trial at the next Assizes, whether the sergeant is able to give evidence or not.

MR. DANE (Fermanagh, N.) : Can the right hon. Gentleman inform the House what the seizure was for ?

MR. T. M. HEALY : For Smith-Barry's rent.

#### EDINBURGH INLAND REVENUE OFFICE.

SIR C. PEARSON (Edinburgh and St. Andrew's Universities) : I beg to ask the Secretary to the Treasury whether his attention has been called to the complaints of the clerks in the Solicitor's Department, Inland Revenue Office, Edinburgh, as regards salaries and promotions ; whether it is the fact that as regards salaries these clerks compare unfavourably with those in corresponding positions in London and Dublin ; whether the Treasury has had under consideration a Memorial on this subject addressed to the Board of Inland Revenue on 20th January last ; and whether he can say when a decision will be arrived at, and a reply sent to the Memorialists ?

\*SIR J. T. HIBBERT : When this matter came before the Treasury in 1890 and 1891 the then Board of Treasury held that a case had not been made out for the increased salaries suggested by the Board of Inland Revenue, and that the argument which it was sought to base on the analogy of the English and Irish Offices was not valid. I understand that a Memorial was sent to the Board of Inland Revenue by the clerks in January of the present year, asking the Board to make fresh representations on the subject to the Treasury. But up to the present time the Inland Revenue Board have not seen fit to do so.

\*SIR C. PEARSON : Are the facts referred to in the second paragraph of the question correct ?

SIR J. T. HIBBERT : I have no doubt it is so.

#### THE LATE MAJOR GENERAL NOBLE, R.A.

MR. DANE : I beg to ask the Secretary to the Treasury upon what grounds the

Treasury refused to act upon the recommendation of the Ordnance Council to grant to the widow of Major General Noble, R.A., an increase of £200 a year pension in consideration of the valuable services rendered by her husband in respect of the introduction of improvements in the manufacture of gunpowder ; and will the Treasury reconsider the matter ?

\*SIR J. T. HIBBERT : The War Office endorsed the opinion of the Ordnance Committee that Major General Noble had rendered valuable service by introducing improvements in gunpowder and the manufacture thereof, and in arrangements for obtaining supplies of acids, by which a considerable saving was effected in the cost of gun-cotton. The recommendation referred to was, therefore, a proposal to recognise General Noble's services as an inventor, which should, if the War Office are satisfied that the case is good, be rewarded in the manner that inventors are usually rewarded. The Treasury objected to meet the case by a relaxation of the pension regulations. These regulations are liberal, and should, in their opinion, be strictly observed.

#### NAVAL CONSTRUCTION ESTIMATES.

SIR E. REED (Cardiff) : I beg to ask the Secretary to the Admiralty if he will state how it has happened that, in the Navy Estimates for the current year, while the revised estimated cost of labour and materials for the hull, fittings, and equipment is less than that of the original Estimates, in the case of each of the armoured first-class battleships built in Her Majesty's Dockyards, the revised Estimates are much greater than the original Estimates in the case of each of the first-class protected cruisers built there ; if he can state whether the additional sums required for the latter ships—namely, £16,990 for the *Royal Arthur*, £10,490 for the *Crescent*, £16,810 for the *Edgar*, and £27,220 for the *Hawke*—have been found fully sufficient for their completion ; and whether these large increases of expenditure in the case of these four ships are due to miscalculation in the first instance, or to additions or improvements in their hulls, fittings, or equipments developed during the period of their construction ?

\*SIR U. KAY-SHUTTLEWORTH: In answer to the second paragraph, the figures are correct, except that, for the *Edgar*, they should be £26,180. The ships have been completed for practically the amounts named in revised Estimates. Regarding the first and third paragraphs, I have to state that the increase in the cost of cruisers has been due partly to additions and improvements in hulls, fittings, and equipment; partly to change in design and armament of *Royal Arthur* and *Crescent*, and partly to rise of wages to dockyard workmen.

#### IMPERIAL BRITISH EAST AFRICA COMPANY.

MR. T. BAYLEY (Derbyshire, Chesterfield): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have information confirming the telegrams in the newspapers which state that Mr. Hamilton, an Imperial British East Africa Company's Superintendent, has been killed by natives and a Company's garrison deserted, while a steamer is in danger of seizure, and that a British man-of-war has sailed for the spot; whether the paralysis of government in British East Africa, revealed by the fighting at Vitu and by the present occurrences, is occupying the attention of the Government; and whether he will consider the desirability of terminating the rule of the Company elsewhere, as has already been done at Vitu, by the revocation of the Charter or otherwise?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): Information has been received that a portion of the garrison of Kismayu in the service of the British East Africa Company deserted to the Somalis and attacked and killed Mr. Hamilton. The steamer *Kenia* is believed to be in a position to defend herself if attacked. H.M.S. *Blanche* was to leave Zanzibar for Kismayu on the 22nd, and should now be there. As to the second paragraph of the question, Her Majesty's Representative telegraphs that he has returned to Zanzibar, having made arrangement for the security and administration of the Vitu territory. The rule of the East Africa Company at Vitu was not terminated by Her Majesty's Government, but by the Company's decision to withdraw.

The question of the future position of the Company is being carefully considered.

#### COLONEL STRACEY'S CASE.

MR. LODER (Brighton): I beg to ask the Secretary of State for War whether Colonel Stracey's successor in command of the Scots Guards was on full pay in command of a battalion of the Scots Guards when the regimental command was about to become vacant; whether Colonel Stracey's successor had finished four years' term of battalion command; and whether he was placed temporarily on half-pay, and thus enabled to be repaid his over-regulation purchase money, before being appointed in regimental succession to the command of a regiment of Foot Guards; and, if so, whether he will reconsider Colonel Stracey's case?

\*MR. CAMPBELL-BANNERMAN: Colonel Stracey was placed on half-pay on July 1, 1891; his successor, Colonel Gascoigne, having made a voluntary application to retire on half-pay, was gazetted to half-pay on June 23, 1891. He had been for three and a-half years in command of a battalion. He was not placed on half-pay temporarily, but retired voluntarily, and thereby fulfilled the condition enabling him to receive the over-regulation value of his commission. This fact does not point to any necessity for reconsidering Colonel Stracey's case.

#### KINSALE PIER.

DR. COMMINS (Cork, S.E.): I beg to ask the Secretary to the Treasury whether he is aware of the dispute which exists between the Town and Harbour Commissioners of Kinsale and the Board of Works as to a claim made by that Board for the completion of the Kinsale Pier over and above the amount provided by "The Kinsale Harbour Act, 1880," for that purpose, and of the steps taken by that Board to enforce their claims and impose for that purpose an additional rate of 2s. in the £1 on the ratepayers of Kinsale; whether he has received from the Town and Harbour Commissioners of Kinsale a copy of a resolution passed by them on the 18th instant in reference to the proceedings of the Board of Works, in which they allege that there was gross mismanagement by the Board



of Works in the execution of the work (that is, the building of the pier), which resulted in increasing the ratepayers' liability to the amount of about £5,000, and asking that a public inquiry be held in connection with the entire expenditure, the entire cost of which the members offer to pay out of their own pockets; and whether, in view of the fact that the summary enforcement of the claim of the Board of Works, even if a just one, will impose a burden that may prove ruinous to the ratepayers of Kinsale, he can see his way to grant the inquiry they desire, and recommend that the proceedings taken by the Board of Works may not be pressed on till it has investigated the matter?

SIR J. T. HIBBERT: The Board of Works obtained a *mandamus* for the payment of arrears amounting to £1,979 13s. 1d. The Town Commissioners are also liable to make good any sum by which the net harbour revenues fall short of the annual charge for principal and interest amounting to £885, and the average deficit has been £575 per annum. In requiring the striking of a rate of 2s. in the £1 calculated to produce £600, the Board of Works are in the circumstances making a moderate demand, falling very far short of the powers given by the *mandamus*. I cannot admit the accuracy of the allegations in the second and third paragraphs, and I can see no reason to interfere. There is no need for any inquiry. The Treasury has already made a liberal offer to the Harbour Commissioners which, so far, they have shown no disposition to meet.

DR. COMMINS: But would not the 2s. rate drive every substantial ratepayer out of Kinsale?

SIR J. T. HIBBERT: I hope not. I believe the town rate is only 1s., and the poor rate 1s. 7d.

#### THE NEW IRONCLADS.

MR. WOLFF (Belfast, E.): I beg to ask the Secretary to the Admiralty what is to be the estimated indicated horse power of the *Majestic* and *Magnificent* under natural draught and under forced draught, what consumption of coal per hour, and how many days' coal will they be able to carry?

\*SIR U. KAY-SHUTTLEWORTH: Indicated horse power—natural draught, 10,000-horse power (specified); moderate forced draught, 12,000-horse power (about).—Contractor's trials. The coal consumption at 10 knots' cruising speed is estimated at 70 tons per day, and the supply would suffice for about 28 days. For continuous steaming over long periods about 6,000-horse power would be developed, and the corresponding estimated coal consumption is 165 tons per day, and the supply will suffice for about 12 days.

MR. WOLFF: What is the difference which accounts for continuous steaming requiring 165 tons a day, while 10 knots only require 70 tons a day?

\*SIR U. KAY-SHUTTLEWORTH: I am afraid I cannot accurately state that.

MR. ALLAN (Gateshead): Is the horse power named for each engine, or is it the combined horse power?

\*SIR U. KAY-SHUTTLEWORTH: Combined.

SIR E. HARLAND: How many days' coal supply will the bunkers hold for full steaming?

\*SIR U. KAY-SHUTTLEWORTH: I must ask for notice of that.

#### COMMITTEES OF INQUIRY INTO INVENTIONS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether the Treasury in 1872 issued a Circular to the War Office on the subject of Committees of Inquiry into inventions for the Public Service; whether that Circular stated that no officer in the Civil, Military, or Naval Services of the Crown should be called upon to judge or give an opinion where his own interests might come into collision with that of any other person, or be permitted to obtain or hold, or be directly interested in, any letters patent for any articles needed for the use of the Government; whether he can state what occurrences led to the issue of this Circular; whether this Circular is still held to be valid by the War Office, or when it was first formally held not to be binding upon them; and whether he will lay a Copy of it upon the Table?

MR. CAMPBELL-BANNERMAN: In December, 1871, a Treasury Minute on the subject in question, dated November 29, 1871, was communicated to th-

War Office. The points stated in the second paragraph were among those included in it. The Minute was issued because a case had occurred in which an officer under the War Department had been offered a royalty for the use by a private firm of an invention of his. This called the Secretary of State's attention to the general question, and after consultation with the Admiralty the issue of such Minute was suggested to the Treasury. After the passing of the Act of 1883, which altered the law as to patents, the whole question was reconsidered, and in 1885 the Minute was withdrawn. It will be rather for the Treasury to say whether this Minute, now obsolete, should be laid upon the Table.

#### SCHOOL FEES IN IRELAND.

SIR T. LEA (Londonderry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what number of schools in Ireland were free from all school fees last October, and in how many schools fees are still paid?

MR. J. MORLEY: I gather from the last Annual Report of the Commissioners of National Education that the number of schools declared by the Board to be absolutely free from school fees on October 1, 1892, was 7,173, and that the number in which fees have been partly abolished is 1,071.

#### THE DUKE OF EDINBURGH.

MR. A. C. MORTON (Peterborough): I beg to ask the Secretary to the Admiralty whether the Duke of Edinburgh will continue to hold his present active command in the British Navy, he having, as it is stated, sworn allegiance to a Foreign State?

SIR U. KAY-SHUTTLEWORTH: If my hon. Friend will be so good as to postpone this question, I will inform him a few days hence when I shall be in a position to give him a reply.

#### THE AMERICAN MAIL ROUTE.

CAPTAIN DONELAN (Cork, E.): I beg to ask the Postmaster General whether he is aware that the American mail, landed at Liverpool ex *Majestic*, was delivered in London about 3 p.m. on Wednesday, 23rd instant, enabling replies to be despatched by the outgoing steamer on Thursday; whether he could state

what time could be gained by availing of the special service from Queenstown; and whether he is aware that the letters carried by the American liner *Paris*, via Southampton (which left New York at the same time as the *Majestic*, and is the faster vessel), did not reach London until long after business hours on Wednesday, and cannot, therefore, be answered until Saturday, 26th instant?

MR. A. MORLEY: As I stated in the House yesterday, the *Majestic* brought for London only a small quantity of specially addressed correspondence. This was sent out for delivery in the City soon after 5 p.m.; and replies could be sent by the outgoing mail of Thursday. Some four hours might have been gained if a special through service had been employed, but the facts which I have stated clearly show that the necessary expenditure would have been unjustifiable. I am aware that the letters brought by the *Paris* did not reach London in time for reply by the outgoing mail. The *Paris* arrived at Southampton at 4.38 p.m. on the 23rd of August (Wednesday), and the mails reached the General Post Office, London, at 7.4 p.m.

CAPTAIN DONELAN: Does not this prove the superiority of the Queenstown route for delivery in London?

[The question was not answered.]

#### ARMY ORDNANCE LABOURERS' PAY.

MR. J. BURNS (Battersea): I beg to ask the Civil Lord of the Admiralty whether the Naval Ordnance labourers at Woolwich will receive the 19s. minimum paid to Army Ordnance labourers; and whether he is now prepared to fix the minimum pay for labourers in other departments under Naval control?

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee): I have to thank my hon. Friend for postponing this question till to-day. The main or standard rate of pay for hired labourers in the Home Naval Establishments will in future be 19s. a week. This rate will not be uniformly applicable in all cases, as the special circumstances of particular localities may have to be taken into account. In the particular case of Woolwich referred to in the question and also in the case of Deptford, it has been decided that 1s. a week in addition to the

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standard rate shall be paid. Fuller details will be found in the Return ordered on 23rd August.

**MR. GIBSON BOWLES:** Will the increase be given to the men forthwith?

**MR. E. ROBERTSON:** From the 1st October.

#### ANTHRAX.

**MR. MACDONALD:** I beg to ask the President of the Board of Agriculture for information as to the particulars of the disease that has broken out among the cattle belonging to Lord Egmont at Midhurst; what number of healthy animals has been killed; and whether the full value of the animals killed has been paid to Lord Egmont? May I further ask whether any recommendations have been issued by the Board of Agriculture as to the mode of slaughtering animals?

**MR. LODER:** On behalf of the hon. Member for the Horsham Division, I will at the same time ask the right hon. Gentleman if his attention has been called to a very serious outbreak of anthrax near Midhurst, and whether there have recently been other cases in the adjoining part of the County of Surrey; if the Board will cause inquiry to be made into the origin of these cases; if the Board can give any information as to the length of time during which the land or buildings where an outbreak has occurred remain infectious, or as to any mode of disinfecting them; and if the Board have any information to show whether the disease is capable of being transmitted by contact with an infected animal, and at what stage of the disease?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden):** There appears to be no doubt that the disease which has broken out among Lord Egmont's cattle at Midhurst is anthrax. Five animals are reported to have died from it, and the slaughter of 53 cattle and 34 swine which were on the farm has been ordered by the Local Authority, and probably by this time carried out. Under the Anthrax Order of 1892, the compensation payable for the animals ordered to be slaughtered but not affected with anthrax would be their value immediately before they were slaughtered, and where they were affected one-half of their value

before they became affected. Perhaps I may be allowed to reply now to the question which the hon. Member for the Horsham Division has placed on the Paper on this subject. I am informed that no cases of anthrax have recently been reported from the particular districts of the County of Surrey to which the hon. Member refers; but the unfortunate increase of the disease in Sussex and in many other parts of the country has recently engaged my close attention. It would be impossible for me, with the small veterinary staff at my disposal, to cause inquiry to be made into the origin of every case; but I may say generally that we have reason to believe that the spreading and recrudescence of the disease is not infrequently due to the inadequacy of the measures taken for the disposal of diseased carcasses. We propose, therefore, to issue a Circular Letter to Local Authorities on the subject, since it is with those authorities that the duty of dealing with this disease now rests. It would be impossible for me, within the limits of an answer, to make any adequate statement on the matters referred to in the two concluding paragraphs of the question; but we are bound to issue a leaflet on the subject for general information, a copy of which I shall be happy to supply to the hon. Member.

**SIR H. FLETCHER (Sussex, Lewes):** May I ask whether the disease has not very seriously increased of late; and whether it is not attended with great risk to human beings as well as to animals?

**MR. H. GARDNER:** Yes, Sir; I am sorry to say the disease has increased of late, and it is attended with danger to human beings. I issued a Circular some time ago pointing out that danger.

**MR. MACDONALD:** I hope that the right hon. Gentleman will answer the latter part of my question.

**MR. H. GARDNER:** I am about to issue a Circular upon the subject to the various Local Authorities. I did issue an Order on the anthrax question last December.

**MR. MACDONALD:** Will the Circular deal with the slaughtering of animals?

**MR. H. GARDNER:** Yes; that will be so.

## DEFAULTING CONTRACTORS.

MR. HANBURY : I beg to ask the Under Secretary of State for India whether firms which have been for some years past struck off the list of contractors to the War Office for having supplied bad material have nevertheless since been continuously allowed to contract with the India Office for supplying material of like description for the forces in India; whether, when Messrs. Ross and Company were struck off the list of contractors to the War Office, information to that effect was supplied to the India Office for its guidance in respect of the Army in India; and whether, on this and similar matters of common interest, it is the custom for other Departments to communicate with the India Office, or *vice versa*, for their mutual guidance or protection?

\*MR. G. RUSSELL : I am not aware of any instance where a firm which has been removed from the list of contractors to the War Office is continuously allowed to contract with the India Office for the supply of stores. The removal of Ross and Co. from their list was not communicated by the War Office to the India Office. Ross and Co. have never been on the India Office Store Department list of contractors, as they are, it is understood, manufacturers of accoutrements which are obtained locally, and rarely supplied from this country. The reply to the last question is, Yes.

MR. J. BURNS : Could not the Government have a black list in which all such contractors might be pilloried; and could not that list be open to all Departments?

\*MR. G. RUSSELL : That is a matter for consideration between the various Departments.

## RAILWAY PASSENGER DUTY.

MR. BYLES (York, W.R., Shipley) : I beg to ask the Secretary to the Treasury what are the terms on which the Railway Passenger Duty is assessed on the City and South London Railway; whether he has observed from the Railway Returns that the said Company has only paid 5½d. per £100, whilst the average payment of other Companies was £1 2s. 6d. per £100; and whether by an adjustment of their rates, or by the adoption of what is known as the zone

system, all Railway Companies might equally escape the tax; and, if so, whether, under these circumstances, he will consider the advisability of abolishing the Railway Passenger Duty?

SIR J. T. HIBBERT : The Commissioners of Inland Revenue, after full investigation of the facts, agreed to assess the duty on 1·15 per cent. of the gross passenger receipts. The comparison which my hon. Friend seeks to draw is misleading, because on the City and South London Railway the fares not exceeding 1d. per mile constitute an infinitely larger proportion of the total receipts than they do on other lines, and the rate charged is the urban rate of 2 per cent., whereas on most other lines the predominant rate is 5 per cent. I fail to understand how Railway Companies could adjust their rates so as to produce the result contemplated by my hon. Friend, and I see no reason for making any suggestion to the Chancellor of the Exchequer on the subject.

## THE NEWFOUNDLAND FISHERIES.

SIR C. W. DILKE : I beg to ask the Under Secretary of State for the Colonies under what Statute, British or Colonial, the Commander of H.M.S. *Pelican* acts in forbidding the inhabitants of St. George's Bay, Newfoundland,

"To sell herring to any other parties than the French ships in port, or who may arrive in port, until they are baited,"

or in proclaiming by poster

"The price of herring is fixed for the present at one dollar per barrel"?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar) : The notice in question was not issued pursuant to any statutory power, but in the exercise of the discretion conferred on the commanders of Her Majesty's ships on the Newfoundland Coast. I am informed that the action taken was in the interests, and with the approval, of the inhabitants; for it would appear that on the arrival of the French fishermen to obtain bait at St. George's Bay, the commander got them to agree to purchase it from the Newfoundlanders, instead of exercising their Treaty right of catching it themselves uninterrupted by competition. Thus, instead of being prevented from fishing while the French boats were there, the Newfoundlanders



obtained remunerative employment. Further, the early baiting of the French boats enabled them to leave more speedily than usual, and the risk of conflict was materially diminished.

\*SIR C. W. DILKE: Is it contended that it is possible for naval commanders on the coast of Newfoundland to exercise, in virtue of their own discretion, powers for which they have no statutory authority?

MR. S. BUXTON: I think that the discretion given to commanders was sufficient to cover the proceedings in this case. As a matter of fact, the inhabitants on the spot were entirely in favour of the proceeding.

\*SIR C. W. DILKE: Is the hon. Gentleman aware that it has been held in the local Courts, and on appeal, that no such discretion exists?

MR. S. BUXTON: I cannot give a legal opinion. This case has not been raised in the local Courts, as the inhabitants were in favour of the action taken.

MR. GIBSON BOWLES: I desire to know whether the House is really to understand that a discretion is given to Her Majesty's naval officers to fix the price of herrings?

MR. S. BUXTON: No; but if the hon. Member knew the circumstances he would see that, in this particular instance, the notice was given in the interests of the inhabitants themselves. No complaint whatever was made by the inhabitants of that locality.

MR. GIBSON BOWLES: But did he fix the price of herrings?

MR. S. BUXTON: The action which the commander took was under a discretion conferred by Treaty.

\*SIR C. W. DILKE: I beg to give notice that I will call attention to the matter on the Admiralty Vote.

#### ALLEGED PERSECUTION OF GALWAY PROTESTANTS.

MR. W. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Protestants of Moyross, County Galway, have for some time been subjected to serious persecution; that on the night of the 4th July, 1893, the house of a Scripture reader of the Irish Church Missions was assailed by a party of men, who threatened the inmates and alarmed them; that on the

night of Sunday, the 6th August, shots were fired near the parsonage, and near houses of two Protestants; and whether, in consideration of the threats that have been used, he will cause a police station to be established at Moyross for the protection of the Protestants so threatened?

MR. J. MORLEY: The two cases referred to in the question were promptly reported to the Government by the police. No actual violence appears to have been used towards the Scripture reader on the occasion first referred to, and he declines to proceed against the offenders for their threatening language. As regards the outrages on the 6th instant, I am informed by the local police that no intention to injure life or property is believed to have existed. Every exertion has been made to trace the perpetrators. The Constabulary authorities do not, at present, consider it necessary to establish a station at Moyross. The adjoining station at Carna, which is only four miles distant, has been strengthened by drafting in some additional constables, and it is considered that this will suffice to give all the requisite protection by means of increased patrolling.

MR. FOLEY (Galway, Connemara): May I ask the right hon. Gentleman whether he is aware that while the only native Protestant in Moyross, County Galway, lives on the best of terms with his neighbours who deal in his shop, a colony of proselytisers has recently settled in the district; and whether a number of tracts and prints offensive to Catholic worship and practice—

MR. SPEAKER: Order, order!

\*MR. T. M. HEALY (Louth, N.): Would it not be in Order to ask whether religious tracts offensive to Catholics and the Catholic religion had not been circulated in the neighbourhood in question?

MR. SPEAKER: It is a question relating to some local religious squabble, and is not a proper matter to be brought before this House.

#### THE ROYAL COLLEGE OF SCIENCE, DUBLIN.

MR. W. KENNY (Dublin, St. Stephen's Green): I beg to ask the Secretary to the Treasury if he is aware that the students' fees referred to at page 346 of the Civil Service Estimates

for 1893-4, as received by the Professors of the Royal College of Science, Dublin, are not paid directly to the Professors, but are transmitted through the Science and Art Department, Kensington, to the Treasury; that these fees are then apportioned amongst the Professors and are remitted to them by drafts on the Paymaster General, less one-tenth retained by the Treasury and Income Tax; and if he will explain why these fees do not appear in the Appropriation Accounts as extra receipts, and how the pensionable rights of these Professors differ in substance from those of the Professors of Queen's Colleges in Ireland in respect of students' fees?

SIR J. T. HIBBERT: The hon. Member is misinformed. These fees are not transmitted to the Treasury, nor are they paid by the Treasury to the Professors; nor, finally, are they paid into the Exchequer or appropriated in aid of voted moneys. For these reasons no pensions can legally be awarded in respect of them. The case is entirely different with the students' fees at the Queen's Colleges. Those fees are appropriated in aid of voted moneys, and an equivalent sum is provided in the Estimate and paid thereout to the Professors. Accordingly, pension is properly calculated upon the sums received by the Professors.

#### LUXURIES FOR AGED PAUPERS.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will advise the Local Government Board to take tobacco and snuff out of the category of articles which can only be ordered as medical comforts by the medical officers alone, and confer on other Executive officers the power of granting them in properly selected cases as in England; and whether he will recommend the Local Government Board to advise Boards of Guardians in Ireland to provide a room for man and wife over 60 years of age, as allowed in England, so that similar practice may be the rule in both countries?

MR. J. MORLEY: I will take an opportunity of discussing this matter with the Local Government Board when I am next in Dublin.

\*SIR C. W. DILKE: Is there not a statutory obligation to allow man and

wife to live together when they are both over 60 years of age?

MR. J. MORLEY was understood to reply that to the best of his belief that was so.

MR. J. BURNS (Battersea): Will the right hon. Gentleman do his best to assimilate the practice in the administration of the Poor Law in Ireland with that in England?

MR. J. MORLEY: My hon. Friend, no doubt, knows that there were differences in the foundation of the two systems of Poor Law. My desire is, however, to do all possible in the direction he suggests.

COLONEL WARING (Down, N.): Will the right hon. Gentleman put a stop to the practice of sending paupers from England and Scotland to Ireland?

MR. A. O'CONNOR (Donegal, E.): And will he also institute inquiries into the scales of dietary?

MR. BARTLEY (Islington, N.): Are not these matters which may fairly be left to the Home Rule Parliament?

MR. J. MORLEY: I should think so.

#### PROVISIONAL ORDER PROCEDURE.

MR. KNOWLES (Salford, W.): I beg to ask the President of the Local Government Board if he is aware that, at a meeting of the Municipal Associations held in July, a resolution was passed, asserting that considerable inconvenience is caused to Municipalities by the delay at present existing in the holding of local inquiries by the Local Government Board, preliminary to the granting of sanctions for loans and the issuing of Provisional Orders, and suggesting that additional Inspectors should be appointed, or some other means adopted whereby inquiries shall be more speedily held; and whether he intends to take steps to increase the staff of Inspectors of the Local Government Board?

\*MR. H. H. FOWLER: I am aware of the resolution passed at the meeting referred to. The increase which has taken place in the number of cases for local inquiries by the Engineering Inspectors of the Local Government Board has been very great. In the present year the number of such cases up to the 12th of August was 835, whilst in the corresponding period of 1889 it was 407. Under these circumstances, it is impossible

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to avoid some delay in holding the inquiries. The matter, however, is receiving consideration.

#### BALLYCOTTON PIER.

CAPTAIN DONELAN : I beg to ask the Secretary to the Treasury upon what grounds the Grand Jury of County Cork decline to take over charge of Ballycotton Pier ; and whether he will state the nature of their communications to the Irish Board of Works upon this subject ?

SIR J. T. HIBBERT : The ground alleged is the "defective state" of the pier. As I have before stated, the allegation is not admitted, and the Grand Jury have no power to repudiate charge of it.

MR. JACKSON (Leeds, N.) : Has the right hon. Gentleman received any Report recently on the state of the pier ?

SIR J. T. HIBBERT : Yes ; last week.

MR. JACKSON : Was it satisfactory ?

SIR J. T. HIBBERT : It is reported that there is a slight crack which became apparent five years ago, but it is no worse now than then.

MR. T. M. HEALY (Louth, N.) : How is it there is always a "slight crack" in the Board of Works piers ?

MR. FLYNN (Cork, N.) : Is the right hon. Gentleman aware that when the right hon. Gentleman the Member for North Leeds (Mr. Jackson) was Chief Secretary it was reported that the fissure had widened, and that an iron band was necessary ?

SIR J. T. HIBBERT : I am informed by the Board of Works that the fissure has not increased for five years. This is one of the matters a Home Rule Parliament can deal with.

#### THE WELSH UNIVERSITY.

MR. KENYON (Denbigh, &c.) : I beg to ask the Vice President of the Committee of Council on Education whether any representations calling for the inclusion of Lampeter as a constituent College of the Welsh University have been received by the Privy Council or the Government from any persons other than the Professors of the College ; and whether any representation has been received from the Visitor of the College ?

MR. ACLAND : No such representation has been received by the Privy Council except one from the principal tutors and Professors of Lampeter College. I am not aware that any such representations have been received by the Government. No representation has been received from the Bishop of St. David's, the Visitor of the College.

MR. KENYON : I beg to ask you, Mr. Speaker, whether in that case the notice of Motion for Tuesday next, in the name of the hon. Member for the Oswestry Division of Shropshire, will be in Order ?

MR. SPEAKER : I will decide that question when the Motion comes on.

MR. LLOYD GEORGE (Carnarvon, &c.) : May I ask whether the Principal of Lampeter College sat on a committee, which considered the whole matter, and drafted the Charter submitted to the Privy Council, and whether he made any suggestion for the inclusion of Lampeter College ?

MR. ACLAND : I understand that the Principal did sit on the committee, but that he did not make any such proposal.

#### THE ROYAL COMMISSION ON AGRICULTURE.

DR. FARQUHARSON (Aberdeenshire, W.) : I beg to ask the First Lord of the Treasury whether he can now state the terms of Reference to the Royal Commission on Agriculture ; whether the Commission will take evidence in various parts of the United Kingdom ; and whether Scotland will be directly represented on it ?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : The Royal Commission on Agriculture will be very simple in its form, its object being to inquire into the agricultural depression prevailing in Great Britain, and whether it can be alleviated by legislation or by other measures. It is hoped that the Commission will include the names of two gentlemen specially interested in Scottish agriculture. The Commission will have to decide for itself the mode in which it will proceed with respect to the taking of evidence.

### SCOTCH RELATION TO IMPERIAL FINANCES.

**MR. COCHRANE (Ayrshire, N.) :** I beg to ask the First Lord of the Treasury whether he is now in possession of any information as to the wishes of a number of the Representatives of Scotland in favour of an inquiry into the financial relations of Scotland to the Imperial Exchequer ; and, if so, whether the Government will take immediate steps to give effect to such wishes ?

**MR. W. E. GLADSTONE :** I received last week from my hon. Friend the Member for the College Division of Glasgow an intimation that a number of Scotch constituencies had arrived at a resolution that it would be satisfactory to them if an inquiry were to be proposed by means of a Select Committee to investigate the financial relations of Scotland at the commencement of the coming Session. Other information has been supplied to me to a corresponding effect, with respect to the views of constituencies not in harmony with the present Government. We are, consequently, of opinion that it would be proper to propose an inquiry of that kind in the next Session.

### PROPERTY QUALIFICATION FOR MAGISTRATES.

**MR. A. C. MORTON :** I beg to ask the First Lord of the Treasury whether he will find time this Session for the consideration of the Bill for the repeal of the property qualification of Magistrates in England and Wales, so as to put the people of those countries on a par with the people of Ireland and Scotland in that respect ?

**\*MR. HERBERT LEWIS (Flint, &c.) :** Will the right hon. Gentleman consider the desirability of making provision for removal from the Commission of the Peace of Magistrates who do not attend to their duties ?

**MR. W. E. GLADSTONE :** This must be considered with reference to the abundance or paucity of claims in regard to the appointment of Magistrates and their urgent claims, which cannot be set aside. I do not think that I can, on the part of the Government, hold out any prospect of dealing with legislation on these points at an early period of the coming Session.

### SPARKBROOK FACTORY.

**MR. JESSE COLLINGS (Birmingham, Bordesley) :** I beg to ask the Secretary of State for War if he will state the number of persons employed in the Sparkbrook and Enfield Factories respectively on 1st June, 1892 ?

**\*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. WOODALL, Hanley) :** The numbers of persons employed in the Sparkbrook and Enfield Factories for the week ended June 4, 1892, were—Sparkbrook, 657 ; Enfield, 2,100.

**MR. JESSE COLLINGS :** May I ask the hon. Gentleman whether the rate of discharge of the men has not been much more rapid at Sparkbrook than at Enfield ; and whether he will say why the Government have dealt so unjustly with the workmen ?

**\*MR. SPEAKER :** The hon. Member can answer the first part of the question, but it is out of Order to ask why the Government have dealt unjustly with a certain class of workmen.

**MR. JESSE COLLINGS :** I will alter the last part of my question, and ask why the Government have dealt so differently with the men at Enfield as compared with those at Sparkbrook ? The hon. Gentleman will see that, even taking into consideration the shorter hours worked at Enfield, the rate of discharge there has been very much less rapid than at Sparkbrook.

**\*MR. WOODALL :** I have already on former occasions explained in the House that the proportion of men discharged at Sparkbrook is larger than those discharged at Enfield, because, whereas Sparkbrook is a mere factory for small arms, Enfield produces a great many other things, such as sabres, bayonets, and quick-firing guns, and consequently affords employment to a greater number of men. I may draw the attention of the right hon. Member to the fact that at the Bagot Street factory the amount expended in wages last July was more than double the amount expended in the same month last year.

**MR. JESSE COLLINGS :** My hon. Friend, I think, did not fully understand my question. I pointed out that, taking into account the reduction of hours at Enfield, the rate of discharge was larger at Sparkbrook than at Enfield. As re-



nds the wages at Bagot Street, I think the hon. Gentleman will admit that if the two Birmingham factories are put together there has been not an increase, but a very great reduction.

MR. WOODALL: I have explained to my right hon. Friend more than once that the comparison between Sparkbrook and Enfield is not perfectly fair, because Sparkbrook is a small arms factory, while at Enfield a great variety of weapons are produced.

#### IRISH POLICE MEDICAL ATTENDANCE.

DR. KENNY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Dr. O'Driscoll, M.B., Royal University of Ireland, and medical officer of the Goleen Dispensary, District Schull Union, applied on the 3rd of June last for the position of medical attendant to the constabulary at Goleen, Dunmanus, and Crookhaven Barracks, places within his dispensary district; whether his application went through the hands of Sergeant Benus in charge of Goleen Barrack, the latter having written to Dr. O'Driscoll requesting him to send his qualifications; whether Sergeant Benus made this request by the direction or with the authority of his immediate superior, Inspector Langhorne; whether it is the recognised practice to give the medical attendance on the constabulary to the dispensary medical officer within whose district the barracks are situated; whether it is the fact that in this case Dr. O'Driscoll's application was passed over, and Dr. Nixon was appointed to the Dunmanus Barrack, and Dr. Bridgok to Goleen and Crookhaven Barracks, although neither of these gentlemen is a medical officer for the district in which said barracks are situated; and whether he can state the reason for the departure from the general rule in this case?

MR. J. MORLEY: The Inspector General of Constabulary informs me that Dr. O'Driscoll did make the application referred to in the first paragraph. The District Inspector, Mr. Langhorne, directed the sergeant to write to Dr. O'Driscoll to forward his qualifications, but no application for the vacancy went, I am informed, through the sergeant. It is not the recognised practice to give to the dispensary doctor the attendance of the police barracks within his district.

The attendance on the police at Crookhaven and Dunmanus stations was given to the medical gentlemen residing nearest to these stations. The Inspector General felt himself unable to accede to Dr. O'Driscoll's application, and it would not be consistent with precedent to call upon him to state his reasons.

DR. KENNY: Is the right hon. Gentleman aware that in this case the dispensary doctor resides at least two miles from the barracks?

MR. J. MORLEY was understood to say he could not interfere in the matter.

#### THE QUEENSTOWN MAIL ROUTE.

DR. KENNY: I beg to ask the Postmaster General when he anticipates being able to announce the decision of his Department on the subject of the acceleration of American mails arriving *via* Queenstown, in reference to which important subject a deputation composed of representatives of all parties in Ireland recently waited on the Chief Secretary to the Lord Lieutenant?

MR. A. MORLEY: I hope to announce it in the course of the evening.

#### THE AMNESTY OF POLITICAL PRISONERS.

DR. KENNY: I beg to ask the Secretary of State for the Home Department whether, in view of the fact that the Irish Government have recently liberated Walker, who during the excitement of the Belfast riots in 1886 killed a soldier and a policeman who were discharging their duties, and who, though sentenced to 20 years' penal servitude, served but seven years of his sentence, he will now consider the expediency of liberating John Daly and other political prisoners who were convicted in 1863, during a period of great political excitement, of treason-felony, and who have served over 10 years of their sentences?

MR. ASQUITH: I am not acquainted with the details of the case of Walker, but I am informed by my right hon. Friend the Chief Secretary that he was liberated after consultation with the learned Judge who tried him, and who approved of his being discharged. Every case must, of course, be judged upon its own merits. For reasons which I stated at length earlier in the Session, I am of opinion that, apart from special circum-

stances, such, for instance, as the health of the convict, which may affect the decision of particular cases, the time has not come at which I could properly interfere with the sentences passed upon any of the prisoners referred to in the latter part of the question.

DR. KENNY : In reference to that answer, might I ask the Chief Secretary for Ireland whether it is on the plea of health that the Irish Government liberated Walker ; and was not Walker's offence committed in a time of great political excitement, and was not Daly's offence also committed under circumstances of great political excitement ?

MR. J. MORLEY : It is quite true that Walker's offence was committed during the Belfast riots of 1886, which might be described as a time of political excitement. Walker's health was one of the reasons for his release, but other circumstances were present in my mind.

#### THE LAND TRANSFER BILL.

MR. RADCLIFFE COOKE (Hereford) : I beg to ask the Prime Minister whether, on the Second Reading of this Bill, he will consent to its being referred to a Select Committee ?

MR. W. E. GLADSTONE : I think that is a question very well worth consideration, but I should not like to give an answer at the present moment.

#### THE SCOTCH SUSPENSORY BILL.

MR. HOZIER (Lanarkshire, S.) : May I ask the Prime Minister when the Government propose to introduce the Suspensory Bill for the Church of Scotland ? I ask the question, because I believe the right hon. Gentleman to-day received a deputation of hon. Members in support of the Bill.

MR. W. E. GLADSTONE : In the absence of my right hon. Friend the Secretary for Scotland, I should not like to say anything of a positive character upon the subject ; but I think the hon. Member is quite justified in putting the question, and, if he will allow me to have a word with my right hon. Friend, I shall be quite prepared to answer him.

#### THE ARMS (IRELAND) ACT.

MR. DANE (Fermanagh, N.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Ex-

piring Laws Continuance Bill, of which notice has been given by the Government, will include the Arms (Ireland) Act, 1881 ?

MR. J. MORLEY : Although the Bill stands on the Paper it will not, in accordance with the arrangement which has been made, be taken to-night.

MR. T. W. RUSSELL (Tyrone, S.) said, he wished for an answer to the question of his hon. Friend—whether the Arms Act was included in the Expiring Laws Continuance Bill as one of the measures to be renewed ?

MR. J. MORLEY : Yes. Being a measure of police it is included in the Bill.

MR. SEXTON said, he wished to know whether the Act would contain a clause extending the period within which leaseholders in Ireland might make applications to the Land Court ?

MR. J. MORLEY said, he thought such a clause was not included in the Bill.

#### A REGIMENTAL QUESTION.

MR. WHITELOW (Lanark, N.W.) asked the Secretary of State for War whether it had been decided to send a regiment to Fort George ; and, if so, whether the difficulty of the water supply had been overcome ?

\*MR. CAMPBELL-BANNERMAN : I would ask the hon. Member to give notice of that question.

#### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL. (No. 428.)

#### CONSIDERATION. [FOURTEENTH NIGHT.]

Bill, as amended, further considered.

MR. MACARTNEY (Antrim, S.) rose to move, in page 3, line 40, to leave out from "Committee," to "subject," in page 4, line 1, and insert "but." He said, in bringing forward this Motion he thought he was entitled to deal with the general principles upon which this Bill was founded. They had heard a good deal of the British Colonies ; but the plan adopted in the case of the Colonies had been departed from in the case of the present Bill, and, as they had gone on with this measure, they found that the Bill weakened the Im-

*Mr. Asquith*

perial supremacy and diminished the protection that was suggested as being provided for the minority. The Bill completely succeeded in weakening that supremacy and in diminishing the value of that protection. There could be no doubt that in the course of the Debates on the Bill they had heard a great deal about the Imperial supremacy; but whenever any attempt had been made to translate into practical provisions the Imperial supremacy, those attempts had been resisted by the Government. The hon. Member for North Kerry (Mr. Sexton) had told them—it was incontrovertible—that the veto was an absolutely ineffective instrument for securing Imperial supremacy. The policy of the Government since 1886 had been to water down the provision made for the establishment of the veto, and in this clause they found it in its very weakest form. They had had no reasons given by the Prime Minister to show why the safeguards for supremacy should not be the same as in 1886. The Premier appeared to take great credit to himself for the principles laid down in this clause, and he said that the Nationalist Party did not object to it. But the fact that the Nationalists did not object did not encourage him (Mr. Macartney) in the belief that this was at all an effective or a valid provision. The hon. Member for North Kerry had warned him in the most distinct way that the Imperial Parliament would not be allowed to exercise this weapon to prevent the Irish Parliament doing that which would be within its sphere; he told them that no meddling interference would be permitted with the position and authority of the Irish Legislature. It might be said by the Prime Minister that he had the greatest confidence in the Irish Legislature; but it was to be remembered that while, perhaps, reliance might be placed on the hon. Member for North Kerry, that hon. Gentleman could not always be with them, and he thought when they looked into the future it was not satisfactory that this question of the exercise of the veto should rest upon such an expression as “capricious or vexatious”—a term which had no fixed meaning, but was open to doubt. The manner in which the hon. Member for North Kerry had accepted the proposal of the Prime

Minister was open to a hundred thousand interpretations. He made his declaration with most perfect candour, but there was nothing in the manner of the acceptance to prevent the basing of the most extravagant pretensions upon it. It was admitted by all that the Bill left almost every important topic connected with the internal Government of Ireland in an unsettled condition, and, therefore, they were justified in asking the Government to reconsider the question of the veto. They must look forward, both in Ireland and in the British Parliament, to numerous incongruities and inconveniences, and, owing to these incongruities and inconveniences, they must expect the intervention of the sovereign power far more frequently than would have been necessary if the Prime Minister had adhered to his first plan. The Amendment was suggested in the hope that it would diminish the friction that would be inevitable. It would bring the Imperial Ministry into more immediate contact with the Lord Lieutenant, and enable them to convey to him opportunely the decisions that were likely to be arrived at with regard to the legislation of the Irish Parliament. He also ventured to submit that no sufficient reason had been given for the departure from all the Colonial precedents. The Prime Minister would recollect that this question had only extremely short debate in Committee, being closed by the Chief Secretary. He would also recollect that no reason was given in support of the departure from Colonial precedents. The proposal in the Amendment would bring the great principle of the full reservation of the sovereign authority of this Parliament into more accord than the clause now did with the pledges given by the Government before the introduction of the measure; and it would go a considerable way towards making the supremacy of the British Parliament an actual fact instead of leaving it somewhat of a sham. The Amendment was founded on the Colonial precedents which had received the sanction of all Governments, including those of the Prime Minister himself. He was of opinion that the House was entitled to hear from the right hon. Gentleman some more substantial reason for retaining the clause in its present form than any that had yet been given.

Amendment proposed,

In page 3, line 40, to leave out from the word "Committee," to the word "subject," in page 4, line 1, and insert the word "but."—*(Mr. Macartney.)*

Question proposed, "That the words proposed to be left out stand part of the Bill."

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): The most important part of the subject mentioned by the hon. Gentleman is that in which he challenges us on our departure from Colonial precedents—the provisions in the Colonial Constitutions. Well, Sir, those provisions are due in part to the distance of the Colonies from the Mother Country, and in part to circumstances which have undergone complete change. I remember well when the ordinary average return post between England and India was 12 months, and there was analogous delay in communicating with the Colonies. The present facility of communication between London and Ireland constitutes a broad distinction between the case of Ireland and that of the Colonies. A single night suffices for the passage of written communications between the two countries, and there is no difficulty in transacting business by means of such communications, to say nothing of the use of the telegraph as supplementary to the transmission of written documents. It is quite evident that the reservation aimed at by the Amendment ought not to be introduced unless there is a necessity for it; and we hold that there is no necessity for it. Everything that is needful can be known up to the last moment without any sensible interruption of business. Of course, the Lord Lieutenant is not to be compelled, nor will he be expected, to give his assent within 24 or 48 hours. There is no difficulty of that kind. Therefore, after full consideration, the Government cannot accept the Amendment.

**MR. A. J. BALFOUR** (Manchester, E.): I do not think, Sir, there is any analogy between the case of Ireland and that of distant Colonies. I admit that something is to be allowed for the facility of communication with Ireland, but I do not think the Prime Minister has quite apprehended the full purport and policy of the Amendment moved by my hon.

Friend. Under the sub-section as it stands—and it is rather curiously worded—the Lord Lieutenant has a right to withhold his assent to any Bill; but I think it is important we should have in the Bill words which will protect the Lord Lieutenant from any misconstruction of the earlier phrasing of the sub-section, which says that the Lord Lieutenant shall, on the advice of the Executive Committee, give or withhold his assent on behalf of Her Majesty. If the words proposed by my hon. Friend are inserted I do not see that there would be any undue delay, or that any injury would be inflicted on the interests of either country, while it would mark the fact that the Lord Lieutenant must in every doubtful case consult the British Government, and he would himself be protected by the assent being withheld. As the sub-section stands, the matter may remain in doubt or ambiguity.

**MR. SEXTON** (Kerry, N.) said, he would venture to suggest that the Leader of the Opposition had misapprehended the point of the Amendment. As far as concerned Imperial instructions to the Lord Lieutenant, the Amendment made no change whatever. The hon. Member for South Antrim (Mr. Macartney) talked of securing the Imperial supremacy, but the Amendment would not make the shadow of a shade of difference in regard to that supremacy which was already absolutely secured by the terms of the Bill. What would be effected by the Amendment would be to make the clause read in the following way:—

"The Lord Lieutenant shall, on the advice of the said Executive Committee, but subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill, declare either that he assents or dissents, or that he reserves the Bill for the signification of the Queen's pleasure."

Anyone who read these words, and compared them with the words in the Bill, would see that they did not propose to make any change in reference to Imperial instructions to the Lord Lieutenant. If the Amendment were inserted the Imperial instructions would be in no way different from what those instructions would be under the Bill. What the hon. Gentleman really proposed to do was to alter the system of veto as between the Lord Lieutenant and the Executive Committee of the Irish Privy Council. By the scheme of the Bill—a



very simple, reasonable, and, so far as Imperial supremacy was concerned, a very effective scheme—the Lord Lieutenant would be bound to act on the advice of the Irish Ministers unless he received instructions from the Sovereign. If he received instructions from the Sovereign, then these instructions would over-ride the will of the Irish Executive. What did the hon. Member propose to substitute for that simple and effective scheme? That the Lord Lieutenant should declare that he would assent or reserve the Bill for the signification of the Queen's pleasure. Did the hon. Gentleman who drafted this Amendment allow his mind to run before and imagine the circumstances to which he would apply himself? Evidently the hon. Member for South Antrim thought it possible that the Irish Executive Committee might advise the Lord Lieutenant to reserve a Bill—although the Chamber to which they were responsible had passed it—and to send to London to know what the Imperial Government thought about it. The suggestion was absurd, and the hon. Member was providing for a state of affairs which could never possibly arise. Because it was not conceivable that the Irish Executive would advise the Lord Lieutenant to reserve a Bill passed by their own Chambers in order to await the signification of the Queen's pleasure. The second point was that while reserving the Bill the hon. Member did not say what was to be done with it in the meantime. He would have expected from an hon. Gentleman who aspired to be a Constitutional Leader that when he moved his Amendment he would at least, having reserved the Bill, say what was to happen to it afterwards. He made no provision, and apparently the Bill dropped out of sight or out of existence altogether. He would only say that, in the first place, the Amendment proposed to make a system for an impossible state of affairs; and, in the second place, the hon. Member did not follow up his Amendment by proposing to make any necessary provision as to what would happen in case the Bill was reserved.

\*COMMANDER BETHELL (York, E.R., Holderness) said, he thought the Amendment made the matter clearer. A subsequent Amendment could be put down to say what was to happen after a Bill was reserved.

\*MR. BLAKE (Longford, S.) wished to say that in Colonial Institutions not only with reference to subordinate Legislatures subject to a Colonial Legislature which had the power of review, but also with reference to the relations of Colonial Legislatures to the Sovereign and Central Power, the trend and drift of opinion had been adverse to the power of reservation. The change made about 1878 in the form of the instructions omitted a number of cases in which it was made the duty of the Governor General of Canada to reserve Bills; and in practice, as between the subordinate Legislatures in Canada and the Central Legislature, it was now the settled Constitutional view that the power of reservation, which nominally existed, was not Constitutionally to be exercised. The proper course was agreed to be to assent to the Bill, and leave it afterwards to be dealt with in another fashion. He wanted to point out that there was a practical inconvenience in the power of reservation, because wherever they proceeded by reservation they imposed upon the Central Authority the duty of deciding not merely whether they would negative the Bill or not, but also whether they would or would not give it the force of law by positive assent, and he thought the duty of the Sovereign Authority should not be complicated by any such consideration. With reference to the remark of the hon. Member who had just sat down, that the clause was ambiguous at present, he averred that the clause was as clear as it could be made as it stood, and that it would only be confused if the Amendment were adopted.

MR. ROSS (Londonderry) said, he thought that in dealing with Ireland it was imperative that every one of the Acts of the Irish Legislature should be brought before Her Majesty's Imperial advisers, and be made the subject of thoughtful investigation. There was no clear means by which the exercise of the Lord Lieutenant's veto was to be put into operation. Under what circumstances was the veto to be initiated? There was no provision made for that whatever, and he therefore thought some such Amendment was necessary.

MR. TOMLINSON (Preston) wanted to know what would happen if the "pleasure" of which they had heard should not be signified? This was a

regular form which had been used in all the Colonies.

**Mr. MATTHEWS** (Birmingham, E.): I conceive that under the wording of the Bill as it stands, in any case in which the Lord Lieutenant may think it reasonable to ask for special instructions from Her Majesty's Advisers here, with respect to any Bill under consideration, he would be enabled, as a matter of right, to claim a reasonable time—a week or a fortnight—to obtain those instructions. If the opinion of the Solicitor General were given, it might tend to clear the matter up.

**\*THE SOLICITOR GENERAL** (Sir J. RIGBY, Forfar): I will only say that I concur in the view which has been already given by the Attorney General.

Question put, and negatived.

**\*Mr. GERALD BALFOUR** (Leeds, Central) moved an Amendment to insert words to provide that the Royal Assent should be given or withheld, subject "to the provisions of this Act" as well as to any instructions given by Her Majesty. His reason for desiring the insertion of the words was this—they had been told, in the course of the Debates, that where the Lord Lieutenant considered Bills passed by the two Houses of the Irish Legislature to be *ultra vires* he would veto them. As the clause now stood, it would not be possible for the Lord Lieutenant to do anything of the kind without receiving instructions from the Imperial Government. It appeared to him that the subsection was at present framed in such a way as to leave the Lord Lieutenant no discretion whatever on his own account. He must either act according to the advice of the Executive Committee, or according to any instructions that might be given by Her Majesty. His object in moving to insert these words was to give the Lord Lieutenant the power, of his own motion and on his own responsibility, to veto a Bill which he conceived to be contrary to the provisions of Clauses 3 and 4.

Amendment proposed,

In page 4, line 2, after the word "nevertheless," to insert the words "to the provisions of this Act, and."—(*Mr. Gerald Balfour.*)

Question proposed, "That those words be there inserted."

*Mr. Tomlinson*

**\*THE ATTORNEY GENERAL** (Sir C. RUSSELL, Hackney, S.): The hon. Member will see, and the House will recognise, that the Amendment cannot possibly affect the object in view. The Lord Lieutenant either has the power which the Amendment proposes to give him, or he has not. If he has the power, the words are not required; but if he has not the power, the words will not give it to him, and will have no operation whatever.

**Mr. CARSON** (Dublin University) said, the question which had been raised was a serious one. As he understood the Amendment, what the Mover wished to put forward was this: that supposing the Lord Lieutenant had received no instructions, and supposing he was of opinion or might imagine that the Bill passed by the Irish Legislature contravened the provisions of Clause 3 or Clause 4, what was he to do? Under the clause as it at present stood the Lord Lieutenant had to give his assent to the Bill unless he had received instructions from Her Majesty to the contrary. As he understood the Amendment, his hon. Friend wished in some way or other to give the Lord Lieutenant some discretion—either to enable him to obtain advice of the Law Officer or some person who might be competent to give it. He did not know whether the form of the veto might be that it was meant in every case that the Lord Lieutenant was to send over the Bill, and himself to take instructions upon it. If that was so, of course it would get rid of the difficulty. But that was not what the clause said. If the clause meant that it ought to be distinctly stated; it would be the easiest thing in the world to state it upon the face of the clause. At present no discretion was left to the Lord Lieutenant, and he must in this case, unless he got those instructions, give his assent to a Bill which might contravene the provisions of Clauses 3 and 4. The only answer given by the Attorney General was not an answer to the principle they wished to establish here. The Attorney General had put forward one of those general propositions which nobody could dispute. They did not want generalities; they wanted the Attorney General to tell them whether the Lord Lieutenant had this power or not. He did not take the view of the

Attorney General. He himself held that these words would have the effect which the Mover of the Amendment suggested. He submitted that the Amendment raised a question which vitally affected the whole machinery as to how they were to give effect to Clauses 3 and 4. He hoped the Attorney General would tell them how the matter would be carried out.

MR. ROSS said, he would like to know what was the meaning of the words—

“Subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill”?

Did those words involve this: that every Bill was to come over here for the assent of the Imperial Ministers, or that the Lord Lieutenant was to act on the advice of the Irish Executive unless instructions were specially sent over? The matter was not clear in the clause as it stood.

MR. SEXTON (Kerry, N.) said, the Debates on this subject had already been rather prolonged, and questions about the veto had been asked again and again. From his recollection, he thought he could say that it had been often explained that the Lord Lieutenant would act upon the advice of the Irish Ministers unless he received instructions to the contrary, which was the system in the Bill. Whatever learned Gentlemen might desire—and certainly the hon. Member for Dublin University had made his desire very clear—he thought it was beyond denial that the words of the Amendment effected nothing. What the hon. Member wished was that, subject not only to instructions from Her Majesty, but to all the provisions of the Act, the Lord Lieutenant should give or withhold his assent. The reply of the Attorney General was unanswerable. If the provisions of the Act, to which the hon. Member referred, were applicable at all, they would apply themselves without words. If there were provisions anywhere in the Act applying to the subject of this clause, they would necessarily apply themselves without words to that effect; and if any provisions in the Act elsewhere did not apply to the veto, no words that the hon. Member could suggest would help him. He ventured to think that the hon. Member for Dublin University was in error as to the effect of the application of those

words to Clauses 3 and 4. The hon. Member said that any law made in contravention of the section would be void. That pointed to an Act of assent, and Clauses 3 and 4 could only apply to a Bill which by assent had become law; and then, when it became law, the Bill provided elaborate machinery for making the Bill void if necessary. He therefore took issue with the hon. Gentleman that the Lord Lieutenant was to anticipate the decision of the Judicial Tribunal and make himself in any sense a Judge of *ultra vires*. The Act was clear. Specific and abundant directions were given as to when a Bill would or would not be *ultra vires*; and the Prime Minister lately, in these Debates, in the most conclusive terms pointed out how contrary to public policy it was, and how contrary to public convenience it might be, that after the passing of a Bill by the two Chambers in Ireland, the Lord Lieutenant should take it upon himself to form an opinion as to whether the Bill was *ultra vires*—a matter properly reserved to the Judicial Tribunal—and having given that opinion should refuse his assent to the Bill. If anybody supposed that under such conditions there could be harmony in Ireland he had only to say it would be impossible. They should leave the judicial question to the Judicial Body, and if there was any reason to suppose that a Bill was *ultra vires* that question should be reserved to that Body alone. If they attempted to turn a political official into a Judge or tribunal, and allowed him to suggest that a Bill was beyond powers, and then make that his own decision, they would turn everything topsy-turvy. The question remained, was the Lord Lieutenant to send over some Bills, any Bill, or every Bill to London, whilst at the same time he was directed to act upon Irish advice in the absence of instructions from London? If the Lord Lieutenant was to act as a Political Agent, to select Bills and to discriminate between them—if he was to be allowed to say that in the case of one Bill he would give his assent and in another that he would refuse it—the result would be to generate prejudice and suspicion in the Irish mind in reference to the Lord Lieutenant; and where the assent was refused, the people in Ireland would suspect that it was so refused because the

Lord Lieutenant made some suggestion on the subject. He assumed the Lord Lieutenant would act upon some advice or other. It was for the Imperial Ministry to inform themselves of what proceeded in the Irish Legislature. They could easily do that, as they were within a few hours' journey of Ireland. The proceedings of the Irish Legislature would be reported from day to day, and he did not see how any difficulty could arise. He respectfully submitted that, for the official and smooth working of the Government in Ireland, it was desirable that the Lord Lieutenant, in respect of the veto, should be a perfectly impartial person, should take no initiative of his own, and should act upon Irish advice where it was given to him, and upon Imperial advice where it was given to him.

MR. W. E. GLADSTONE: Our view is perfectly plain in this matter. We entirely agree that the Lord Lieutenant should possess the power that is desired. We believe that he does possess it; and that if he does not possess it, the words proposed, as the Attorney General has said, will not give it to him. It does not require a special provision in Clause 5 to enable him to refuse his assent. It is his absolute duty to obey the law and refuse his assent if he should see that a Bill is *ultra vires*.

MR. A. J. BALFOUR: The speech of the right hon. Gentleman does point to the conclusion that some words ought to be imported into the clause, in order to make the meaning of Sub-section 10 clear. The reason I say that is that two gentlemen, great authorities on the subject, both give an entirely different interpretation as to its meaning. There is the right hon. Gentleman who has just sat down, and there is the hon. Member for North Kerry who has given an entirely different version, both as to the power and the duties of the Lord Lieutenant. The hon. Member for North Kerry derides the idea that it would be the duty of the Lord Lieutenant to consider whether or not an Act of the Irish Legislature was consistent with the provisions of Clauses 3 and 4 of this Bill. According to the hon. Member, the question would not be one for the Lord Lieutenant, but for the Law Courts. But the Prime Minister, on the other hand, says that it is not only within the power of the Lord Lieutenant, but that

it would be his absolute duty, to form a judgment upon that very question. The second difference is not much less important. The hon. Member for North Kerry takes the view—and I bring myself more in accord with him than with the Government—that the Lord Lieutenant always acts under advice. It may be the advice of the Irish Administration, or it may be the advice of the English Administration; but when he acts it is always under advice like a Constitutional Sovereign. That is the view of the hon. Member for North Kerry, but it is not the view of the Government. On that point, also, they entirely differ from the hon. Member for North Kerry. They think the Lord Lieutenant acts in three quite distinct capacities—as a Constitutional Sovereign under the advice of the Irish Government, as a Constitutional Sovereign under the advice of the English Government, and as a Minister himself of his own initiative. That is the view of the Government, but it is not the view of the hon. Member for North Kerry. This is a matter which should be made perfectly plain, as it would be if the words of my hon. Friend were introduced into the Bill. On these two points it is quite clear there is a wide distinction between the views of the Government and the hon. Member for North Kerry. There is a third point. I understand the view of the hon. Member for North Kerry to be not only that the Lord Lieutenant invariably acts under advice, but that he has no initiative to select which set of advisers to go to. His view is that the Lord Lieutenant may be passive or, as he calls it, impartial in Ireland on the question of the veto; that he is to act on the advice of the Irish Government, unless, without their being set in motion by the Lord Lieutenant at all, the English Ministers step in and say—“You have received this advice from the Irish Government; we give you contrary advice; and as between these two sets of advisers, of course, under the Act, you have got to choose us.” I believe that view of the hon. Member for North Kerry to be an accurate view. If that be so, here is a third point on which he differs from the Government, because I believe the Government hold that if the Bill is to be made a rational workable measure one of the most important and interesting questions of discretion that



will be left to the Lord Lieutenant is whether or not he will appeal to the English Ministry to give him advice with regard to certain Bills. As I conceive the mode in which the Lord Lieutenant will deal with his duties, it will be this. A Bill comes up, and it is obviously of a character within the competence of the Irish Legislature, and in which no question of general policy or the rights of special minorities is concerned, he will act on the advice of the Irish Ministers, nothing more will be said, and the Act will become law, or, at any rate, until somebody chooses to contest it before the Privy Council. If, on the other hand, he considers it a doubtful case, he will, according to the Government, either of his own initiative refuse, assent, or say—"It is not a question I can act upon without advice, and I will insist on appealing to English Ministers," on whose advice he will have to act. But the Member for North Kerry takes an entirely different view. He thinks the Lord Lieutenant is to receive these Bills as they come up, and unless and until he gets word from the English Ministers he is to give his assent as of course. I think, if my hon. Friend's Amendment has done nothing else, it has, at all events, given us an occasion on which we may really get to the bottom of this matter. I do not wish to put metaphysical or abstruse questions to the Government; but this is an important question of policy, on which great divisions exist not between them and us, but even between them and their supporters. That being so, I think the least we have a right to ask is that they shall make a perfectly clear exposition of their views of what the Lord Lieutenant ought to do, and of the mode in which they think these views are to be carried out.

MR. J. MORLEY: The first point the right hon. Gentleman puts is whether the Lord Lieutenant can, under any circumstances, absolve himself from the necessity of either taking the advice of the Irish Ministers or seeking instructions from Ministers here? The Government hold, undoubtedly, that cases might arise when it would be the Lord Lieutenant's plain, obvious duty to withhold his assent from Bills without consultation with English Ministers. I will give a case, and then the hon. Member for Kerry will see the force of our position. Supposing

the Irish Legislature were to pass a Bill endowing any Church, or a Bill providing funds for the use of an Irish Envoy to a Foreign Court, it would not be necessary for the Lord Lieutenant to consult the English Ministers before withholding his assent from such measures. He would see for himself that they were absolutely *ultra vires*, and would act accordingly. Now, Sir, the right hon. Gentleman took another point, and, undoubtedly, a point of great interest. He said, take a case where Irish Ministers tendered advice in respect of Bills to the Lord Lieutenant, and he then asked—"Is the Lord Lieutenant to be free to say to his Irish Minister I do not like your Bill, and I shall invite some other set of gentlemen to form a Ministry who will not bring in this Bill. Is he to be free to do this?"

MR. A. J. BALFOUR: Is he to be free to say—"I do not like your Bill; I will refer to another set of advisers"—namely, the English Ministers? That is what I meant to convey.

MR. J. MORLEY: I should have thought that in all matters exclusively Irish which were entirely within the competence of the Irish Government the Lord Lieutenant would be as free as a Colonial Governor to say to his Irish Ministers—"I do not like your Bill." He would not say—"I will refer to the English Ministry," but he would say—"I will invite Mr. So-and-so to form an Administration with another policy." A Colonial Governor might take, and would take, that course, and I do not know why the Lord Lieutenant should not be allowed to take the same course.

MR. A. J. BALFOUR: That, I think, has never been in dispute. What I understood was in dispute between the hon. Member for North Kerry and the Government was this—whether the Lord Lieutenant, acting Ministerially and acting under advice, may choose the set of advisers to control his action? This subsection contemplates that, under certain circumstances, he is to act on the advice of British Ministers. Is he to wait until the British Ministers put him in motion, or may he say—"I will appeal to them and see what their views are"?

MR. J. MORLEY: If he chooses he might, undoubtedly, communicate with the English Ministry. If he sought their advice that would be a matter for his own discretion.

MR. A. J. BALFOUR: The hon. Member for North Kerry denies that.

MR. J. MORLEY: Then I am sorry to say I differ from the hon. Member for North Kerry.

MR. DUNBAR BARTON (Armagh, Mid) desired to point out the great importance of this difference which had arisen between the Government and the hon. Member for North Kerry. It was not an academic difference, not a mere difference of opinion. What did the hon. Member for North Kerry say? He said that if his view was not correct there would be suspicion bred in the Irish people as to the Lord Lieutenant, and he further said that this Constitution could not work smoothly unless his view was correct. It was important they should know that on this vital question affecting the relations between the Imperial Government and the British Government, and which affected the exercise of the veto of the Lord Lieutenant, the theory which the Government had now pinned themselves to was one which, on the authority of the hon. Member for North Kerry, would not work smoothly, and would breed suspicion between the Irish people and the Representative of the Crown.

MR. MATTHEWS (Birmingham, E.): May I point out one point in which Section 5, as it stands, is in direct conflict with the view of the right hon. Gentleman opposite as to what it ought to imply? The right hon. Gentleman said that if the Irish Legislature presented to the Lord Lieutenant a Bill for providing funds for the appointment of an Envoy from Ireland to the Court of France, or for the endowment of any religion in Ireland, he is not to assent to the Bill, and that he may dissent without instructions from the English Ministry. Sub-section 3 does not say that. Sub-section 3 is imperative upon the Lord Lieutenant to follow the advice of his Executive Committee, unless he has got instructions. It says in terms that the Lord Lieutenant shall, on the advice of the Executive Committee, give or withhold assent, subject, nevertheless, to instructions given. I venture humbly to think that the argument of the hon. Member for North Kerry was extremely convincing on that point, because he said Sections 3 and 4 assumed that *ultra vires* laws may be laws in force. There

may be a law as *ultra vires* as you please—say for the endowment of the Presbyterian religion in Ireland—which yet has received the assent of the Lord Lieutenant, and is law. The hon. Member for North Kerry said with equal force that you have got a special provision, and you may object. A law of that kind which is void is to be declared void—namely, by reference to the judicial authority; therefore, the proposition of the Chief Secretary that the Lord Lieutenant has some reserved discretion in his third capacity for dissenting without any instructions is a proposition which is contradicted both by the terms of Section 5, and by the inference drawn from the language of Sections 3 and 4. May I observe upon this same point that the theory of the Government is so novel that it requires express words to carry it out? The Lord Lieutenant represents the Sovereign. I suppose there are some functions of the Lord Lieutenant for which he can himself be made responsible, and the Sovereign never can be made responsible. But in this particular function of giving assent to a Bill he represents the Sovereign in a peculiar sense as a Member of the Legislature; and I should have thought that, without express words, it was quite clear he must act under advice. There must be some Minister responsible for the assent or dissent which the Lord Lieutenant indicates to the proposals of the Legislature; consequently, if he has not got the advice of his Irish Executive, he must have the instructions of English Ministers to enable him to act. The Government, on the other hand, take the view that the Lord Lieutenant, although he is a Constitutional Sovereign, yet still is a man of sense and a reasonable being, and is not bound to assent to a law which, on the face of it, any person would declare to be a nullity and void. Well, surely, you want express words in Clause 5 indicating that he may act in this way. It is contrary to the language of the clause as it stands, and it is contrary to the Constitutional doctrine that Constitutional advice must be obtained before he assents or dissents.

\*SIR F. S. POWELL (Wigan) said, it certainly appeared to him that if the intention of the Government was as had been disclosed to the Chief Secretary, it

was not expressed by the text of the Bill. In the case of a colony, the Governor acted on his own responsibility. He assented or dissented, and nothing was said in the Colonial Acts as to any advice; but in the case of the present Bill the language of the clause was perfectly clear. The Lord Lieutenant was to act under advice, and he submitted, therefore, that he was bound either to follow that advice or dismiss the Ministry. The Lord Lieutenant might think that a Bill submitted to him was a Bill full of evil consequences; but he was bound to accept that Bill should the Executive Committee give him that advice. He might think, moreover, as was stated by the Chief Secretary, that it was an infringement of Clause 3. It might be for the endowment of a Church, or for the appointment of a foreign Envoy; but the Lord Lieutenant would be bound to follow the advice of the Executive Committee if they desired him to sanction this Bill, and then the cure for any mischief must be under a subsequent section of the Bill—Section 20—which gave power to a Court to deal with any such legislation, and declare it void by a solemn decree. He felt strongly that the intention of the Government was entirely sound; but he was sure they had failed once more in the drafting of the Bill, and that their intention was not carried out by the language of the clause.

\*MR. BUTCHER (York) ventured to think that in the course of the discussion of this Amendment they really had touched upon one of the vital questions involved in this Bill. They had now come to a clear and definite issue between the Chief Secretary and the hon. Member for North Kerry. On the one hand, the Chief Secretary told them that the Lord Lieutenant could, without any instructions from a Member of the British Cabinet, withhold his assent to an Irish Bill, although the Executive Committee directing him might have advised him to assent to it. On the other hand, the hon. Member for North Kerry said most distinctly that the Lord Lieutenant could do nothing of the kind. What he ventured to submit to the Government was this—that on the wording of this Section 5, as it stood, the construction placed upon the Bill by the hon. Member for North Kerry

was correct. The section was directory to the Lord Lieutenant. It said—

“The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of Her Majesty.”

There was, no doubt, a subsequent proviso directing that the Lord Lieutenant should act subject to any instructions given to Her Majesty; but if no instructions were given there was no alternative for him but to act on the advice of the Executive Committee. If that were so, he thought they might fairly appeal to the Government to accept the Amendment, and insert words in the Bill that would put an end to this most unfortunate difference that had arisen between them and their allies of the Irish Party.

MR. RENTOUL (Down, E.) said, that in the course of this discussion the hon. Member for North Kerry had brought out one point, at all events, and that was that if the Lord Lieutenant sought the advice of the English Ministry he would become extremely unpopular. Could anyone doubt that? The Chief Secretary said—“Suppose a Bill is brought before him to send an Envoy to a Foreign Court, or to endow a Church.” But there was no fear of any such Bill being brought before him. He did not fancy that a Bill so outrageous and so much in direct opposition to the present Bill would be brought forward. Suppose, however, that a Bill a shade beyond the powers of the Irish Legislature was passed. The Lord Lieutenant, on it being brought before him, might say he did not see his way to give his assent to it, and ask for the advice of the English Ministry, who would decide against the Bill. The Irish Legislature would naturally say that if the Lord Lieutenant had not asked for advice, but had given his assent to the Bill, no question would have been raised at all by the English Executive. The entire blame of stopping that Bill, and other Bills of the kind, would be laid not upon the English Executive, but upon the Lord Lieutenant. It should, therefore, be made clear in such a case that the English Executive were to act on their own motion, and the Lord Lieutenant must wait for them to act, or else that he was bound to ask for their advice.

SIR E. CLARKE (Plymouth): I should like, before this matter closes, to

express my strong opinion as to the necessity of putting some words into Clause 5 in order to carry out the view of the Prime Minister. The words in the Amendment would be extremely apt and effective words. The declarations of the Prime Minister and of the Chief Secretary for Ireland are entirely satisfactory. The declaration now is that it would be the duty of the Lord Lieutenant to refuse his assent to a Bill which was inconsistent with the limitations imposed in Sections 3 and 4; and they have swept away the contention—which was a perfectly unreasonable and untenable contention—that it was the Lord Lieutenant's duty to assent to anything, whether inconsistent with the clause or not, and to leave it to be decided by a judicial tribunal at some future time, even in reference to Bills which were most manifestly inconsistent with the Act. I would point out to the Prime Minister that if he desires, as I am sure he does, to secure on the face of the Bill the establishment of the principle he has so distinctly laid down, some words are necessary here. Suppose a Bill to have passed the two Houses of the Irish Legislature which distinctly and manifestly contravenes the limitations imposed in one part of Section 3. Suppose a Bill is passed dealing with alienage and aliens as such—a matter which is clearly excluded from the power of the Irish Legislature. This Bill is brought to the Lord Lieutenant for his assent. What has he to do? The 5th clause tells him what he has to do. Sub-section 3 says—

“The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of Her Majesty to Bills passed by the two Houses of the Irish Legislature, subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill.”

Suppose Her Majesty gives no instructions at all, and even if the Lord Lieutenant were to consult the Ministers here, and ask to be advised on the matter, those Ministers might say, in the very words which the Prime Minister has used this afternoon—“It is your duty to see whether this is in contravention of Clause 3, and if you see that it is to give effect to your view.” The answer of the Lord Lieutenant would be this—“By Section 5 you have told me that I shall give or withhold my assent on the advice of the Executive Committee.” But that Exe-

cutive Committee, by the hypothesis, is the very Government which has passed through these two Houses the Bill which is so manifestly inconsistent with Clause 3. I submit to the Prime Minister that the words which my hon. Friend has proposed are exactly appropriate words. My learned Friend the Attorney General said that the provisions of the Bill always applied, and that the Lord Lieutenant was acting under the provisions of the Bill. Not so. Here is the specific instruction to the Lord Lieutenant—that in dealing with this particular part of his delegated power he shall act upon the advice of the Executive Committee in Ireland; and, as the Bill now stands, I say, without the smallest hesitation, that if they passed a Bill obviously inconsistent with Clause 3, then presented it to the Lord Lieutenant, and he received no instructions from Her Majesty, it would be his absolute duty to give assent to that Bill.

MR. W. E. GLADSTONE: And to concur in an entirely illegal act?

\*SIR E. CLARKE: Certainly, because there is a mandate to him to act on the advice of the Executive Committee in Ireland. What can he do? Supposing he said to the Executive Committee—“This Bill is in contravention to the limitations of Clause 3,” their answer to him would be—“Look at Clause 5, which specifically says you are to act upon our advice.” All this difficulty could be avoided if the Government would only give effect to their own view of the matter, and accept the words which my hon. Friend proposes, because these words would then apply the provisions of Clauses 3 and 4 to the discharge of that duty prescribed in Section 5, and would make it perfectly clear that it was the duty of the Lord Lieutenant to take that course which the Prime Minister has so distinctly declared it ought to be his duty to take.

SIR H. JAMES said, if the Government had time for reflection, he thought the Prime Minister, at least, would desire to carry out the views which he had himself expressed. If the right hon. Gentleman would look at the matter for a moment he would see that these words had that object. They were told that the Lord Lieutenant was to have these capacities—as representing the Queen, as an Imperial Minister, and as Lord

*Sir E. Clarke*



Lieutenant in advice with the Irish Executive. When a Bill was passed by the Irish Legislature they would submit it to him for his assent. He was bound to act upon the advice of the Irish Executive. There could be no doubt about that, for the words were, "He shall act." If he were to act otherwise than upon their advice he would be a usurper. No such question could arise in this country. The supremacy here, at all events, was assured. In Ireland various questions might arise. When a Bill was brought to the Lord Lieutenant he was told that he should, as required by the Act, follow the advice of the Executive. The Prime Minister said he was protected, because he would not be called upon to obey the Act—

MR. W. E. GLADSTONE: I did not say that. I said he would not, with his eyes open, disobey this Act.

SIR H. JAMES said, it was the same thing. He admitted that when an Act was brought to the Lord Lieutenant, which was a good and useful measure, he would take the advice given. The question was, however, whether a Bill was good or bad. If he refused his assent he placed himself in a position which would subject him to an extreme penalty. The Irish Legislature might pass an illegal Act. What, then, would be the position of the Lord Lieutenant? Was he protected by this Act? Under the clause as it stood, he was subject to the Act, but he was not protected by it. If these words were inserted the intention of the Prime Minister, and, he believed, the majority of the House, would be carried out. The Prime Minister having declared that the Lord Lieutenant might exercise his discretion apart from the Executive, unprotected by Constitutional advice, he was asked that he should put the Lord Lieutenant in the position that he would be able to refer to the Act and see that he could deal with a Bill under its provisions, and with perfect protection to himself. As it was, he was to be placed in a dangerous position—the words proposed were really for the purpose of carrying out the Government's own intention. There was a point of substantial importance upon which he had to say a word. If the Lord Lieutenant had before him a Bill of 15 clauses, 10 of which were *ultra vires*, what was he to do?

On whose advice was he to act? He would wish to give his assent to the useful clauses of the measure, perhaps; but he could not give his assent to the other 10. To whom was he to look? To the Executive Council. He was bound to follow their advice, the question being not Imperial but local. If he did not look to them—if he exercised his discretion—he was placed in a position by which he had an arbitrary right of sovereignty—a greater Constitutional power, he feared, than the Sovereign herself. A Viceroy placed in such a position would be most unhappy and the most to be pitied of any of Her Majesty's subjects. He would be placed in conflict with the Executive; and he repeated that that was not desirable, and that the clause was entitled to reconsideration by the Government.

MR. T. M. HEALY (Louth, N.) said, the right hon. and learned Gentleman went on the supposition that in future the Lord Lieutenant would be always a fool. That was their experience of Viceroys; but doubtless the gentlemen of the future would be possessed of a fair measure of intelligence. Let them take the case where a bit of railway was being made which might, or might not touch some portion of the Crown land. That might be a question of fact; and to tell him that the Lord Lieutenant was to go down to the County of Cork and find out by some means whether, as a matter of fact, this Act was dealing with a piece of Crown land, instead of leaving it to the local military authorities to apply to have the Act abolished, was to tell him what was absurd. The position taken up by the Unionist Party was that when the Government offered one provision they asked for something else. They did not say that the provision giving the Judicial Committee of the Privy Council power to determine questions of *ultra vires* was no good, but they said they wanted something else. They would not have a paper safeguard; they wanted a brown-paper safeguard. Could anything be more absurd? If all the provisions of the Bill were paper safeguards, absolutely useless, what did they gain by putting in these tissue-paper safeguards in addition? He (Mr. T. M. Healy) conceived that if the Lord Lieutenant were asked to pass a Bill that was plainly *ultra vires* he would veto it; but if he got a Bill that was not plainly

*ultra vires*, and if he was advised by responsible men that it was within the powers of the Legislature, unless he was a person, say, of the type of Lord Londonderry—

MR. A. J. BALFOUR : Hear, hear !

MR. T. M. HEALY : Or of some of the jockey Viceroys whom they had had in Ireland, the Lord Lieutenant would probably take note of the good sense of his advisers, and, unless the matter was clear and plain, he would refuse to veto the Bill. They had had a question put that day by the right hon. Gentleman the Member for the Forest of Dean (Sir C. Dilke), who asked the Under Secretary of State for the Colonies under what Statute, British or Colonial, the Commander of H.M.S. *Pelican* acted in forbidding the inhabitants of St. George's Bay, Newfoundland,

"to sell herring to any other parties than the French ships in port, or who may arrive in port, until they are baited,"

or in proclaiming by poster

"the price of herring is fixed for the present at one dollar per barrel."

No doubt some provision would be made in this Bill to fix the price of herring at a dollar a barrel ! And the Lord Lieutenant would consult his advisers as to the fixing of the price of herring ! He (Mr. T. M. Healy) ventured to say that business in Ireland would be carried out in good temper in every respect. What they objected to in the provision of the hon. Gentleman opposite was this—that it converted the Lord Lieutenant into a Judge. He would not have the case argued against or argued for. He would not have advice on both sides. The case would not be settled in open court. It would be settled by him in secret. The Government proposed that if there was a doubt it should be argued on both sides by a proper tribunal on judicial principles. They consented to the application to the matter of what they had got inserted in the Bill—namely, "due process of law." On the principles of due process of law, and not upon the principles of private negotiation or private practice, they hoped to see this Bill carried out.

Question put, and agreed to.

SIR R. TEMPLE (Surrey, Kingston) said the next Amendment stood in his name—

Mr. T. M. Healy

Clause 5, page 4, line 3, at end, add—

"(4) The Lord Lieutenant shall, subject to the above conditions, have the power of cancelling and annulling Resolutions passed by either House or both Houses of the Irish Legislature.

"(5) Any Petition from either House or both Houses of the Legislature to Her Majesty's Government or to Parliament shall be forwarded to the Lord Lieutenant, who shall in his discretion and subject to the above conditions transmit or withhold transmission of the same."

He did not, however, propose moving the Amendment. The question which it raised had been more or less discussed in Committee, and once more on the Report stage ; and as anything he could say would not induce the Government to accept the Amendment he would withdraw it.

Amendment, by leave, withdrawn.

\*MR. BUTCHER (York) said, he begged to move the Amendment standing in his name—

Clause 5, page 4, line 3, at end, add—"Provided that, except upon instructions given by Her Majesty, no such assent shall be given by the Lord Lieutenant until the expiration of 40 days after such Bills have been passed by the two Houses of the Irish Legislature."

The object of the Amendment was to give reality to the safeguard of the Imperial veto, and to provide that some reasonable time should be given to the Imperial Government for the purpose, if they thought proper, of giving instructions to the Lord Lieutenant in the case of a Bill which might be *ultra vires* or oppressive and unjust in character. The hon. Member for Waterford (Mr. J. E. Redmond), the Leader of one section of the Nationalist Party, gave a gloomy acquiescence to the veto, and the hon. Member for Longford (Mr. Justin McCarthy), the Leader of the other section, had, he understood, no serious objection to it. In Clause 5 it was provided that the Lord Lieutenant should give his assent on behalf of Her Majesty, subject to instructions from the Imperial Government. His Amendment proposed to give time to the Imperial Government, if they thought proper, to give instructions to the Lord Lieutenant. As the matter stood, the Lord Lieutenant could give his assent to a Bill on the very day that it was passed, or within a week, and there would be no time for considering the Bill, or for giving instructions to the Lord Lieutenant. He was quite aware that no time was fixed for the

Lord Lieutenant to give his assent in ; but he might give it on the very next day that Bill was passed. His desire was that a period of 40 days should be fixed for, as he had said, the purpose of allowing the Imperial Government to consider what ought to be done. The hon. Member for North Kerry (Mr. Sexton) had suggested that it would be the duty of British Ministers to read the Irish newspapers ; but he (Mr. Butcher) expected that the British Ministers would be better employed in looking after British interests than in watching the eccentricities of the Irish Parliament. It was suggested that the Home Secretary, on reading in the newspapers what was occurring in the Irish Parliament, could send over instructions by telegraph. Those were things which they could not contemplate as reasonable, and so he thought some reasonable time should be allowed in order that the Imperial Government might consider the measures that were passed. They might be told that occasions upon which that Imperial veto would be exercised would be so rare that it would be hardly worth while bringing it into effect. But it was quite possible the Irish Government might be disposed to trench upon the right reserved from them, and pass laws beyond their power. Such Bills ought to be submitted to the Imperial Cabinet ; but, under the provision made by the Government, the Lord Lieutenant was bound to give his assent to those Bills. There was another class of Bills which should come under the consideration of the Imperial Cabinet, and that was Bills of an oppressive character. On this point he might appeal to the supporters of the Government—some of them, at all events. Some of them had admitted that there might be danger in that direction. One hon. Member—the Member for Cardiff—had said it was highly probable, judging from the methods and spirit which animated many of the Irish Members, that the Irish Legislature would pass laws which would be very painful and objectionable to the Imperial Government. He (Mr. Butcher) agreed with the hon. Member ; and he thought the best safeguard was to have the measures submitted for consideration before becoming law. The President of the Local Government Board (Mr. H. H. Fowler) had before now said that it was not improbable the Irish Legislature

would pass foolish measures. That was a statement in which many hon. Members, he was sure, would be inclined to join with the right hon. Gentleman. He said, therefore, that on this question, at least, the Government ought to give way. They had had the assurance again and again, that in the event of some law being passed which the Irish Legislature ought not to pass, the veto would be sufficient to meet the case. He would simply remind the House of the remarkable speech of the right hon. Gentleman the President of the Local Government Board. On Clause 2, on the question of the veto, he said there must be an effective supremacy of the Imperial Parliament ; and he went on to point out that one of the modes of upholding that supremacy was through the machinery of the Imperial veto. And he said, further, that if a Bill of an oppressive or unjust character were passed by the Irish Legislature, the present Bill laid down the duty of the Lord Lieutenant to refuse the assent of the Crown, on instructions from the Crown, acting on the advice of the Imperial Cabinet.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.) : Quote the passage fully.

\*MR. BUTCHER said, he had not the whole quotation here. The right hon. Gentleman went on to say that foolish legislation might be passed, and that it would be a misfortune, but one with which the Imperial Parliament ought not to deal. In that he thought that House should not follow the right hon. Gentleman, if it was his opinion that in that case there would be no reason for the interference of the British Cabinet. Let him give another instance. In Committee they had a discussion as to the power of suspending the Habeas Corpus Act, and the Attorney General (Sir C. Russell) said that if the Irish Legislature were to hurry through a Bill suspending the Habeas Corpus Act when the circumstances of the time did not justify it, the Ministers of the Queen would be empowered to advise Her Majesty not to sanction the proceeding. Ministers would, no doubt, be so empowered, but, unless they accepted this Amendment, they would be empowered in theory but not in practice ; and the Lord Lieutenant would be told by the Irish Ministry to give the assent which it would be the desire

of the Imperial Government he should refuse. In these circumstances, seeing that it was possible the Irish Legislature might pass foolish and unjust Acts, seeing that the President of the Local Government Board had spoken in that sense, and that it was their desire to make this provision effective, they should, he thought, adopt this Amendment. All that was asked for by the Amendment was that some time should be allowed for the Imperial Government to consider a Bill before it finally passed into law. If this was not done, the veto, which the Government said should be effective, would become a delusion and a sham.

**Amendment proposed,**

In page 4, line 3, after the word "Bill," to insert the words—"Provided that, except upon instructions given by Her Majesty, no such assent shall be given by the Lord Lieutenant until the expiration of 40 days after such Bills have been passed by the two Houses of the Irish Legislature."—(*Mr. Butcher.*)

**Question proposed,** "That those words be there inserted."

**MR. J. MORLEY:** The hon. and learned Member bases his Amendment on the ground that the Irish Legislature is likely to do foolish things.

**MR. BUTCHER:** Foolish, oppressive, and unjust.

**MR. J. MORLEY:** He quoted my right hon. Friend the President of the Local Government Board, but he did not tell us that my right hon. Friend drew a distinction between foolish things and what he called "bitter, unjust, and oppressive things"; and, of course, the Imperial Government would interfere in the case of oppressive or unjust legislation such as he imagined. I do not believe that the Irish Legislature is more likely to commit acts of folly than any other similar Body. But, even if I did believe it, it appears to me that if Legislatures are to be suppressed on the ground that they may do foolish things, or that they have done foolish things, I think the doors of this House of Commons would soon be closed, and those of another place would be closed still sooner. Yet that is what he founded his Amendment upon! His real motive we perfectly understand. The real object of the Amendment is to invite, by delay, the interference of the Imperial Parliament and the Imperial Government in Irish Bills and affairs, and, by so doing, to undo all that the Government hope to

achieve by the passing of this Bill. Does he really mean that the Acts passed by an Irish Legislature should remain over in this manner? Take an ordinary case—that of a Cholera Bill. Does he really mean that such a Bill should remain for 40 days? Or take the Appropriation Act. Does the hon. Member say that that is to remain for 40 days standing over?

**MR. BUTCHER:** Until instructions be given.

**MR. J. MORLEY:** My objection is that the proposal is entirely unnecessary in these days of post and telegraph. Neither the Lord Lieutenant nor the English Cabinet would want 40 days to turn over in their minds Bills they would know everything about. The hon. Member has given no kind of reason for this Amendment, except a reason which cuts at the root of the whole Bill.

**MR. ROSS (Londonderry)** said, it was rather a fine distinction that the Chief Secretary had drawn between foolish acts and unjust and oppressive acts. As a general rule, a foolish act would be found to be unjust and oppressive to someone. When the right hon. Gentleman came to put his fine distinction into operation he would find it much more difficult than he imagined. The right hon. Gentleman said it would not take 40 days to find out about these things; but was that so? There would be no direct communication between the Lord Lieutenant and the Home Government; and it would, therefore, take some time to get the necessary information. The Central Authority would be left to the ordinary sources of information—that was to say the newspapers—to make themselves acquainted with what was going on in Ireland. With regard to these matters, then, it would be of advantage to give a little time. The Chief Secretary said that emergencies might occur, in which case it would be very inconvenient to wait 40 days; but express provision was made for that in the Amendment; besides, the occurrence of an emergency would be a thing which would be well known at home. Anything like a Cholera Bill the Home Government would be prepared to assent to at once. But why should not the people of Ulster have an opportunity of bringing before England the fact that an oppressive and unjust Bill was about to be passed so that the Lord

*Mr. Butcher*



Lieutenant might be prevented from giving his assent to it? No one could say what disorder might not result from resistance to an unjust law. The adoption of such an Amendment as that before the House, however, would tend to the smooth working of the Act, and give a reasonable time to the minority in Ireland, either by agitation or direct communication with the Central Authorities, to point out that some law was being passed which they considered unjust.

MR. A. J. BALFOUR said, this Amendment was another attempt to reduce to some kind of order the chaotic condition in which the Bill was left with regard to the Lord Lieutenant. During the consideration of the last Amendment they had endeavoured to find out whether the clause carried out the views of the Government, and whether the Lord Lieutenant should have power to veto the Bill without consulting anyone, or to choose whom he should consult; but the Government never deigned to answer their arguments. Perhaps they deemed that it mattered little in what condition they left the Bill. Under the circumstances, he did not think it was worth while to go to a Division. Nor was it worth while to press the Government to explain their views, or to modify their Bill in accordance with the efforts of the Opposition to reduce chaos to order.

Question put, and negatived.

\*MR. GERALD BALFOUR (Leeds, Central) said, he rose to move an Amendment which consisted of two provisos; these provisos were quite independent the one of the other, and he proposed to move them separately. Under the first proviso it would be lawful for the Lord Lieutenant, in pursuance of instructions from Her Majesty, to veto particular portions of an Appropriation Bill. The object was not so much to enable the Lord Lieutenant to veto particular money items in such Bills, as to enable him to meet the possible case of an Irish Parliament passing an Appropriation Bill with a rider attached, and thereby compelling the Lord Lieutenant either to accept this rider, which might be of a most objectionable character, or else to take the step of vetoing the Bill, with the effect of throwing the whole work of administration into confusion by withholding the necessary supplies from the Executive Government. The practice of

tacking riders dealing with general legislation to Appropriation Bills would be generally condemned by the House, and the only question arising was this—was it likely the Irish Parliament would have recourse to this device? The experience of the United States was a guide, and that experience went to show that the apprehension was by no means chimerical. Within the last 50 years the device of tacking riders to Appropriation Bills had been used in the United States by the Senate to coerce the House of Representatives, by the House of Representatives to coerce the Senate, and by both Houses (by Congress) to coerce the President. The last cases were, of course, most in point in the discussion of this proviso. Twice within the last 30 years had attempts been made by Congress to coerce the President by attaching pieces of general legislation to Appropriation Bills. In 1867 it was successfully attempted by Congress against President Johnson, when Congress tacked on to the Army Appropriation Bill a provision investing General Grant with the supreme command of the Army. Again, in 1879, the attempt was made against President Hayes, who had resisted certain legislative proposals which had reference to the Southern States. Congress thereupon attached to the Army Appropriation Bill, and to two other Appropriation Bills, the proposals which had been previously rejected, endeavouring in this way to force the President to acquiesce. In that case the President was strong enough to veto the Appropriation Bill, and Congress was obliged to yield. On that occasion President Hayes's veto message, according to the work of the Chancellor of the Duchy of Lancaster, argued strongly against the whole practice of tacking other legislation to a Money Bill, and, concerning this practice, the right hon. Gentleman (Mr. Bryce) adds that—

"It has caused great abuse, and is now prevented by the Constitution of many States."

Of course, it might be argued that, although the experience of the United States undoubtedly did show that resort to this device was not impossible, yet in this country we had had no experience of the kind; and why, therefore, should we anticipate it would be the source of trouble in Ireland? The two cases were entirely different. In the United Kingdom the position of the Sovereign under the Imperial Constitution was

entirely different to what would be the position of the Lord Lieutenant under the Bill. The Sovereign acted on the advice of a single Cabinet, responsible to Parliament, with the result that in this country the veto of the Crown had practically ceased to exist. When the veto was exercised only on the advice of the Ministry who were responsible to Parliament, no necessity for exercising it could arise. But the position of the Lord Lieutenant would be quite different. He would have to act on the advice not only of the Irish Executive Committee, but also of the Imperial Cabinet. He would have to serve two masters. So far as the Lord Lieutenant acted on the advice of the Irish Executive Council the veto power would be as extinct in Ireland as it was in this country, and it would only become operative when exercised on the advice of the Imperial Ministry. When the Lord Lieutenant vetoed a Bill on the advice of the Imperial Government he obviously would exercise the power in opposition to the Irish Parliament and Executive; and therefore it might be accepted as certain that if the veto were ever employed, it would certainly be resented by the Irish Advisers of the Lord Lieutenant, and, being so resented, it would be probable that the Irish Executive would take whatever means they had in their power to evade the veto. To take an illustration. Suppose the Irish Parliament and Ministers desired to pass a Bill to suspend trial by jury in Ulster, and that the Lord Lieutenant, acting on the advice of the Imperial Government, vetoed the Bill. The Irish Parliament and Government might, in order to coerce the Lord Lieutenant, tack the operative clauses of such a Bill on to an Appropriation Bill, and under such circumstances the Lord Lieutenant would be exactly in the dilemma described. He would have to accept the Bill with its objectionable rider, or he must face the alternative of depriving the Irish Executive of necessary funds, and thereby throwing the administration into confusion. There was no doubt this device might be resorted to, and lead to serious difficulties in Ireland. Everything turned on the reality of the veto. Her Majesty's Government professed their intention that the veto should be real and operative, and if they were sincere they ought not to leave to the

Irish Legislature the power of resorting to this simplest of all methods for rendering the veto inoperative.

Amendment proposed,

In page 4, line 3, after the word "Bill," to insert the words—"Provided that, in case of Bills for appropriating any part of the public revenue, it shall be lawful for the Lord Lieutenant, in pursuance of instructions given by Her Majesty, to give or withhold the assent of Her Majesty to particular provisions of such Bills."—(*Mr. Gerald Balfour.*)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE: I am very sorry that the hon. Member has found it necessary to renew the subject.

MR. GERALD BALFOUR: We never reached the Amendment at all in Committee.

\*SIR C. RUSSELL: Yes; on the 6th July.

MR. W. E. GLADSTONE: It was discussed on the 6th July, and I am extremely sorry to have to inflict on the House a repetition of what I said before. I am not assuming that the matter is now raised in precisely the same terms; but the arguments and the substance are the same as before, just as they have been in nine-tenths of the discussions of the last few days. With respect to tacking, it is not altogether easy to define. What is meant by tacking? If it is the combination in one Bill of a number of provisions which have been customarily dealt with on a number of Bills with a view to shut out the discretion of the other branch of the Legislature by that combination, the House of Commons made a most effectual tack in 1861, when it entirely departed from the former practice of passing Money and Tax Bills one by one and sending them to the House of Lords one by one. In 1861 we advisedly and deliberately adopted the practice of combining them all in one Bill for the purpose of excluding discussion in the House of Lords. It was a very grand instance and most important in its results, for it virtually extinguished the whole legislative function of the House of Lords as to finance. Supposing such a case as that were to occur between the two Chambers in Ireland, it would be in the power of the Viceroy, under the proposed Amendment, entirely to frustrate the effort of the popular Chamber to defend its own privileges, because he might strike

*Mr. Gerald Balfour*

out such items as he thought fit from the Appropriation Bills, and thereby compel the Lower Chamber to send them up as separate Bills, and so deprive the popular Chamber of its only effective remedy against the interference of the other Chamber in financial matters. Now, it appears to me that that, of itself, is a vital and fatal objection to the Amendment. It will be seen that under the power given by the Amendment the great measure adopted in self-defence by the House of Commons against the House of Lords in 1861 might have been entirely frustrated by the Crown. The hon. Member said that powers analogous to these are in operation in certain States of America. No doubt he is right, but we cannot safely copy particular provisions from the legislative systems of foreign countries without considering the differences between their system and ours. [*Cheers.*] I am obliged for that expression of assent, and hope I shall have a renewal of it when I explain what I mean. The case of the United States is totally and fundamentally different from the case we have before us. Here we have on one side two Chambers, one being the taxing Chamber, and on the other side the Viceroy. In the States of the United States on the one side stands the Legislative Body and on the other the Governor, also elected by the people.

MR. GERALD BALFOUR: Does not the Imperial Cabinet represent the people?

MR. W. E. GLADSTONE: In a totally different sense. It has not been elected by the people for this purpose. There have been in this country Cabinets that have lasted for 10, 15, or 20 years. The Cabinet comes in existence through the national will, but by a totally different machinery having no direct relation to the people. It is consistent in the American States that they should have these two organs, both coming from the people, in the same way, for a limited time, and should set one to correct the other. But it is really different, when one organ comes by remote and intermediate delegation from the people, to give that organ authority over another directly elected by the people and chosen for a particular purpose. Will the hon. Member give that power to the Crown in this country?

MR. GERALD BALFOUR: I have no objection.

MR. W. E. GLADSTONE: I am obliged to the hon. Gentleman for that candid concession. The hon. Member would have no objection to enact that the Crown in this country, on receiving an Appropriation Bill, may strike out all such items as it pleases.

MR. GERALD BALFOUR: Acting on the advice of the Cabinet.

MR. W. E. GLADSTONE: Oh, certainly; but the hon. Member would have no objection to undo what was done in 1861, and to restore to the House of Lords power over the House of Commons. Why is that to be done? In my opinion this would be a most serious invasion of the legitimate power of the Representatives of the people, whose first duty it is to have control over the taxation of the people. This is a matter with which the hon. Member says he does not wish the Viceroy to interfere. Having regard to the practice of tacking, it is dangerous to deal with the subject by legislation; it is far better to leave the question to the practical working of our institutions, and to the influence of legitimate public opinion upon them. It is the business of the Irish Executive to adjust their views to those of the Legislature while Bills are passing through the Chambers; that is the Constitutional system as it works all over the world. The case of the United States, where an elected Governor is placed in opposition to an elected Chamber, is totally irrelevant.

MR. A. J. BALFOUR: I have often listened with astonishment to the replies which are thought adequate by Gentlemen on the Treasury Bench to Amendments moved in all seriousness in this House; but I confess that my feeling of astonishment never grew to greater heights than during the speech which we have just heard. In the first place, the right hon. Gentleman said that this Amendment was exactly like nine-tenths of the Amendments we have been discussing for many weeks.

MR. W. E. GLADSTONE: That it was a repetition.

MR. A. J. BALFOUR: I was not aware that the right hon. Gentleman said that; but, of course, I accept it from him. But this is not a repetition. I asked a friend, while the right hon. Gentle-

man was speaking, to fetch me the volume of *The Parliamentary Debates* that deals with the question; and, although I have only been able to glance at it, it is perfectly clear to me that the Debate which took place in Committee, and has been alluded to by the right hon. Gentleman, was not analogous and did not deal with the same matter as this, while this certainly is not a repetition of it. The Amendment to which the right hon. Gentleman refers was moved in Committee by my noble Friend the Member for Rochester (Viscount Cranborne). That Amendment undoubtedly proposed that the Lord Lieutenant should have the power of vetoing portions of Bills. The noble Lord, however, never once in his speech, as far as I have been able to read it, touched upon the question of Money Bills or tacking. The right hon. Gentleman who replied to him did not touch on that question either. When one of my friends suggested that it was a case in which the Irish Legislature might deal with portions of Money Bills he was reproached by the Chancellor of the Duchy (Mr. Bryce) for having dragged in Money Bills. The right hon. Gentleman (Mr. Bryce) said—

“The present Amendment does not refer to Appropriation Bills, but to a different matter altogether, and there are very material differences.”

Well, in the face of that the right hon. Gentleman got up and reproached us with having raised again on Report a question which had been settled in Committee. [Mr. W. E. GLADSTONE: Hear, hear!] Well, the right hon. Gentleman must settle these differences of opinion with his Colleague. I will pass by the most unjust, and I had almost said improper, tones levelled by the right hon. Gentleman at us across the Table, and will come to the substance of his reply. The right hon. Gentleman went back to certain incidents which occurred in this House in 1861, and said that this House, in order to prevent the House of Lords having any legislative jurisdiction over questions of taxation, adopted a new method of arranging its Money Bills. I have two observations to make on that point. The first is that the arrangement of Money Bills cannot be described as tacking. The right hon. Gentleman said truly enough that it might be difficult to define tacking; but it is certain that a mere Consolidating Money Bill in the

House of Lords is not tacking. The right hon. Gentleman appeared to think, in spite of what fell from my hon. Friend, that he had in view some kind of dispute that was likely to arise between the Lower and the Upper House—if upper and lower are proper terms in which to describe these two Chambers—with regard to Money Bills. My hon. Friend was not dealing with disputes between the two Houses, and he distinctly said so. Therefore, the analogy of anything that occurs between this House and the House of Lords, even had it been relevant to the discussion, which it was not, would have been quite outside the particular kind of danger my hon. Friend desires to guard against. The right hon. Gentleman said the Viceroy might take advantage of this clause to interfere between the two Houses and to involve the Upper House in a contest with the Lower House. Whenever we suggest that the Viceroy would take action of this kind we are asked why we should suppose that the Viceroy would be so idiotic, and only this evening the hon. Member for North Louth (Mr. T. M. Healy) made a vehement speech on this attractive subject. The right hon. Gentleman supposes that the Viceroy, acting with the advice of an Irish Administration, dependent as it must be upon the will of the Lower House, will interfere in some quarrel between the Lower and the Upper House in order to sacrifice the legitimate rights of the Lower House to the privileged Upper Chamber which is proposed to be created by the 6th clause. The right hon. Gentleman lost sight of what I think is really the most important portion of this question. He has told us over and over again that the veto is to be a reality. He has told us that protection to minorities is to consist in the exercise of the veto by the Lord Lieutenant in necessary cases on the advice of the British Administration. If the Lord Lieutenant is to be controlled in the exercise of the veto by this practice of tacking, what becomes of the veto as the safeguard of the minority or of the popular interests? We want to know how the veto can be a reality if you admit tacking to its fullest extent? The Irish Executive, I will assume for the sake of argument, bring in a Money Bill and tack on to it some administrative proposal of an iniquitous cha-

*Mr. A. J. Balfour*



racter, oppressive to the minority in Ireland or destructive of some Imperial interest. The Lord Lieutenant will be incapable of exercising the veto on that Bill without disorganising the whole administration of the country and stopping Supply. Is that fair; is that what you want; is that what you call having an effective veto? My hon. Friend behind me does not propose by this Amendment to deal with the Upper Chamber in Ireland as against the Lower Chamber. What he proposes to do is to leave the Lord Lieutenant free, if he chooses to take the advice of the British Ministry, to veto the obnoxious part of the Bill without throwing the whole of the Public Service of Ireland into absolute disorganisation. With interest and astonishment I listened to the statement of the right hon. Gentleman, repeated three times in the course of his speech, that the principal functions of the Lower Chamber in Ireland would be to impose taxation. That is an entirely new view of the functions of that Chamber thrown before us at the very last stage of this Bill; and not only is it in direct contradiction to everything that has ever fallen, either from the Government or the Irish Members before, but it appears to be in direct contradiction to the provisions of the Bill itself, because we have taken care that the one thing the Irish Government shall not do with facility is to impose taxation, almost every convenient method of extracting money from the Irish people having been sedulously reserved by this Bill to the British Government. What becomes of the functions of the Irish Representative Assembly under these circumstances? This is only an illustration of the strange vagaries the Government indulge in when they plunge into these interesting Constitutional questions. But the question I would put to the Member of the Government who deigns to reply in this Debate is, how can you keep an effective instrument in the hands of the British majority if you permit the Irish Government to tack on to any Bill money provisions which are necessary for carrying on the Public Service in Ireland? Perhaps, however, the Government may treat us again to the absolute silence which they resort to where argument fails them.

MR. COURTNEY (Cornwall, Bodmin) said, he thought that the Prime Minister, in approaching the subject, had

been too much influenced by his memories of the controversy over the Paper Duties in 1861. These memories had led him to misunderstand the scope of the Amendment, and to confuse it with a proposition of a totally different character that was discussed in full. The Amendment dealt simply with Appropriation Bills, and was designed to enable the Viceroy, acting upon the advice of the Imperial Government, to prevent any spurious addition to the Appropriation Bill. It had nothing to do with the question, therefore, which was involved in the Paper Duties, and still less had it anything to do with the question whether the Viceroy might out of any Bill select provisions which were repugnant to him. There was no proposition involved which would destroy or interfere with the power of the Lower House. Unless, however, some such Amendment were accepted, the power would be placed in the hands of the Irish Legislature of evading the present limitation imposed upon their authority by preventing the vetoing of one of their proposals. This could be done by introducing into the Appropriation Bill provisions which were entirely foreign to that Bill. This was a question which had arisen in the United States and also in our Colonies. Not long ago it arose in one of the Australian Colonies owing to an attempt to put an end to a struggle respecting the payment of Members by inserting a provision for their payment into the Appropriation Bill. The Prime Minister was accurate in point of form, no doubt, when he said that the example derived from the United States was not applicable in this case, because the Governor of each State was elected by the citizens. This merely showed that there was, in the judgment of the Governor, something in the nature of a referendum by which the people might correct the action of the Legislature. In Great Britain the supreme authority was, and would be, representative not simply of the people of Ireland, but of the people of the United Kingdom; and the Ministers of the Crown were as much representative of the people as if they were directly elected. He thought the House ought to protest against the notion that the Ministers of the Crown were not the embodiment for the time being of the national will. They were as truly exponents of the national will as the

Representative Chamber itself. The Government confessed that the Irish Legislature was to be a subordinate Legislature, and limitations had been placed upon its power. Methods were pointed out by which such limitations might be avoided. It was now proposed to prevent the evasion of the limitations by giving to the supreme authority the power of regulating and compelling observance of them. The case might be put very simply. The Legislature of Ireland might pass two Bills—an Appropriation Bill and another measure. The Appropriation Bill would be naturally within their rights, and would receive the assent of the Lord Lieutenant; the other might be directly in opposition to the limitations laid down, and would consequently be vetoed by the Lord Lieutenant. If the two Bills were joined together the supreme authority would be placed in the most difficult position of having to decide whether or not to exercise the veto in the composite Bill, and in consequence to throw the organisation and Government into confusion. It was desirable that this difficulty should be avoided. The Amendment proposed a final and satisfactory way of avoiding it, and he hoped it would be accepted.

MR. GOSCHEN (St. George's, Hanover Square): It seems to me to be absolutely incredible that the Government should not think it necessary to reply to the arguments which have been put forward. At all events, we know that the bubble of the veto has been finally pricked. It has been shown how it is possible for the Irish Parliament to defeat the veto upon which the Government have hitherto relied. The argument of the Prime Minister did not deal with this portion of the case at all. It simply dealt with the general principle that the Lower Chamber in Ireland is specially constructed in order to impose taxation. That is the new view started by the right hon. Gentleman. The Prime Minister thinks that time is being wasted in discussing this Amendment, and he has taunted us with repetition. I hope the right hon. Gentleman will be better coached on another occasion as to what has happened in previous Debates. My right hon. Friend the Leader of the Opposition has shown that the question was specially exempted from Debate in Committee. Let the House realise the

position in which we stand. When we attempt to debate this question we are told by the Prime Minister that it has been debated before.

MR. W. E. GLADSTONE: It was included in the former Debate.

MR. GOSCHEN: The right hon. Gentleman heard the words of the Chancellor of the Duchy, and it has been shown that the Government has not hitherto condescended to reply to the point. The question is, whether the veto will not be thwarted by tacking Money Bills on to other measures? No answer whatever has been given by the Government; and unless we have an answer, we shall know that the Government avowedly are prepared to see the veto destroyed by means of a loophole in the Bill, when it has been shown to them that, by accepting this Amendment or some similar Amendment, the veto could be preserved. We have always thought that the veto would be a sham, and the time spent in showing that it is a sham has certainly not been lost. It will not be regarded as lost by the electors of this country. I think that for the credit of the Government they ought to attempt to show us how they would provide for this difficulty.

\*THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): My impression is that the right hon. Gentleman who has just sat down is wrong in his recollection of the point; for it contained other matters, which were the main subject of debate. Although it is quite true that the Amendment of the noble Lord the Member for Rochester (Viscount Cranborne) was not the same as this Amendment, the question which arises on this Amendment was brought up in that Debate first by the Member for Leeds (Mr. Gerald Balfour), and then by the right hon. Gentleman, upon the noble Lord's Amendment. Therefore, my right hon. Friend (Mr. W. E. Gladstone) was quite justified in stating that this is not altogether in substance, but to a considerable extent, the same question as arose before. More than that he has not said. I come now to the Amendment itself. The stress of the argument of the Opposition rests upon their allegation that without this Amendment the veto will be useless. I have two replies to make to that argument. The first is that the

veto will be used, if a sufficiently grave case arises, whether there be an attempt to "tack" or not. The fact that an attempt has been made to defeat the veto by tacking will not prevent the veto being used. The other argument bears more fully on the case, which has been made in supposing a serious crisis. If a Constitutional crisis of the kind were to arise; if the Irish Legislature were to try to carry a measure which is objectionable and likely to incur the veto by tacking to it an Appropriation Bill, that proposal would necessarily have to be seriously considered long before it reached the stage of being presented as a complete Bill to the Viceroy. It would be impossible, in the sort of crisis supposed, for the Viceroy not to know what was passing, or for his attention not to be called to the serious gravity of the case. It would be his duty at an early stage of the matter to call the attention of his Executive to the necessary results of their action, and in an extreme case to ask the advice of the Imperial Cabinet. If right hon. Gentlemen opposite display illimitable imagination in debating every possible kind of disposition on the part of the Irish Legislature to provoke conflict, and to attempt unreasonable things—and they are no doubt justified in making use of such imagination for the purposes of hypothetical argument, however improbable the case may be—but if what they suggest really happened, it would not be necessary to meet it with the veto, because it would be the duty of the Lord Lieutenant to nip it at an earlier stage. [*Opposition cries of "How?"*] By telling his Government he would not be a party to it, and by warning them of the consequences that must result if they persist in their course. I will put another point. This Amendment is designed to meet one case only—namely, the case of the Irish Legislature trying to effect their purpose by tacking. That is not the only way by which the Irish Legislature, if they were bent on carrying a measure, might proceed, and the hon. Member for Leeds is endeavouring to shut one door while he is leaving another, and a much wider one, open. There is no particular use in endeavouring to meet a difficulty of this kind, which would involve a Constitutional crisis of the gravest nature,

by a particular Amendment directed against one particular form of action, when you leave it perfectly open to the Irish Legislature to attempt to gain the same end in another way, which would be even easier. I will ask the House to consider what the broad effect of this Amendment would be. The Amendment is in substance an attempt to impose upon the Imperial Cabinet the duty of a partial veto in certain cases of Money Bills, in regard to which the function of the popular House of the Legislature is especially sacred, because it is from the popular House of the Legislature that Money Bills proceed, and in respect of which the vetoing authority is only in a remote sense responsible to the Irish people. The Prime Minister observed, in answer to the argument which the hon. Member drew from the experience of the United States, that in the United States the Governor of a State, who is in some States permitted to veto particular items, is himself the creation of the popular will, and that it is perfectly open to the people, if they so choose, to devolve upon the creature of their own will the duty of controlling, even in a matter so eminently the function of the people as the voting of money, the exercise of that right. After all, such a veto is the act of the people, through their Representative, just as much as the act of the Legislature is the act of the people. Here the Imperial Cabinet, on whom the hon. Member seeks to devolve the veto, is responsible to the Irish people only in the proportion which the 80 Representatives of the Irish people bear to the total number of Members in the House. I might illustrate the results of this Amendment by remarking that they would resemble what would happen in the United States if the duty of vetoing parts of a State Appropriation Bill, passed for the State by its own Legislature, devolved not on the Governor of the State, but on the President of the United States, who, of course, is the choice of the people of the particular State in so remote a degree that he could not be regarded as practically responsible to them. We regard this proposal as one to some extent superfluous, and to some extent impracticable. We regard it as opposed to the traditions of British Constitutional Government which we desire to implant in Ireland, as likely to create friction

between the people of Ireland and the Imperial Government, and as calculated to interfere with the fair working of the system of machinery on which we desire the Irish Government to proceed.

MR. J. CHAMBERLAIN (Birmingham, W.): I think the speech we have just listened to amply justifies the gentle pressure put upon the Government with the object of inducing them to give another reply. We should have missed a most useful lesson on the new Irish Constitution had we failed to enjoy the speech of the right hon. Gentleman. Before I deal with the arguments of that speech I must put my right hon. Friend right on a question of memory. He says the Prime Minister was perfectly right in saying that this Amendment was substantially the same as one discussed in Committee on the proposition of the noble Lord the Member for Rochester (Viscount Cranborne). What did the Chancellor of the Duchy himself say about the Amendment of the noble Lord at the time when it was the subject of discussion? On that occasion the right hon. Gentleman said—"An Appropriation Bill is a totally different matter." He was dealing with the Amendment of the noble Lord, and he put aside the question of the Appropriation Bill as raising a new and distinct argument on the subject. I would remind the Chancellor of the Duchy that on that occasion, while most strenuously expressing disapproval of the Amendment of the noble Lord the Member for Rochester on the ground that it dealt with Bills other than Appropriation Bills, he expressed his approval of it when applied to Appropriation Bills.

MR. T. M. HEALY: Read, read!

\*MR. BRYCE: I did not express my approval. I said there were certain merits, but I did not argue it.

MR. J. CHAMBERLAIN: I think the right hon. Gentleman should read his speech before he makes that correction. He said—

"The President, when it comes up to him, might well be authorised to disallow that particular item, but to give his assent to all the rest of the Bill; and no harm would be done by that course being adopted, because in an Appropriation Bill each clause stands on its own bottom."

\*MR. BRYCE: That argument referred to the United States. I never admitted that the case of the United States was parallel to that of Ireland.

*Mr. Bryce*

MR. J. CHAMBERLAIN: Why did the right hon. Gentleman state his approval in the case of the United States of a proposal to deal with the clauses of an Appropriation Bill separately in an argument bearing upon an English Amendment on an Irish Bill? No; I beg to ask the Chancellor of the Duchy to read carefully his own speech. His argument now is—"You propose to deal with this matter in a manner which is altogether wrong—in a manner which has not been adopted in America. In America they have only dealt with Appropriation Bills." Of course, in making that argument he meant to say—"If you had proposed to deal with it here on Appropriation Bills alone, you would have been perfectly justified." The right hon. Gentleman now finds that that argument will not suit his present purpose. This Debate, even when we approach an incident which is likely to occur about 11 o'clock to-night, has not lost its interest. It will, in fact always be memorable in laying before us thus late new ideas of the Government in regard to their own Bill. What does the Chancellor of the Duchy say in his own book? He approves of a proviso in the Constitution, which provides in Article 1, Section 7—

"The President is permitted to vote any particular item or items in an Appropriation Bill."

And the right hon. Gentleman's comment on that passage is—

"Of these changes the third"

—the one just read to the House—

"and fifth were obvious improvements."

Now we have got it that it is an obvious improvement to any Constitution that the President or the Governor of a State should be allowed to deal with a tack to an Appropriation Bill. "But," said the Chancellor of the Duchy, "that is quite different in this Constitution, because in our Constitution the person who would have to interfere represents the Imperial Parliament," and the Imperial Parliament, of course, does not represent the people. That is an interference with the legislative freedom of the Irish Parliament. Yes, Sir; under those circumstances, what is the veto? Here is this precious Constitution, which is to preserve the legislative freedom of the Irish Parliament, and it gives us a veto which



the Prime Minister tells us is a real and efficient instrument against any abuse of its power by the Irish Parliament. "Oh, but," says the Chancellor of the Duchy, "to make that veto efficient would be to interfere with popular freedom and the liberties of the Irish people." Here is a confession from the Chancellor of the Duchy that the veto was always intended to be a sham. We know that the Chief Secretary meant it to be a Court-sword; but the Chancellor of the Duchy means it to be a scabbard without a sword at all. The Chancellor of the Duchy goes on to deal with the suggestion that, if the Irish Parliament were allowed to tack obnoxious or illegal Bills to an Appropriation Bill, it would be very difficult to exercise the veto. He says—"Oh, but our right and our power of interference would begin much earlier than that." This is another most interesting *aperçu* on the Constitutional position of the Irish Parliament which the House has never heard before. What is going to happen, according to the Chancellor of the Duchy? The Lord Lieutenant is going to watch every Bill, Resolution, and Act of the Irish Parliament; and the moment he, on his own discretion, thinks that the *ultra vires* provision is verged upon, or that it is a kind of Act to which the Imperial Government will be likely to object, or that the Resolution or Bill is such as the veto can by any possibility be applied to, he is to send for his Irish Ministers, and to say—"Look here, my fine fellows, do not waste your time in discussing this, for I have the veto in my pocket, and I shall have to apply it. You must alter the Bill in such and such a way—if you do not do so, bear in mind the whole of your time will be thrown away." Now, can the House conceive of anything more ridiculous than the Constitution conjured up by the Constitutional imagination of the Chancellor of the Duchy? We have always thought that the position of the Lord Lieutenant would, indeed, be very difficult and delicate, and occasionally very painful. But what would be the position of the Lord Lieutenant if this was to be one of his functions, and if on every occasion he was to be interfering with and advising his Irish Executive, and also threatening them with regard to almost every measure they introduced that if they did this or that he would,

later on, have to exercise the veto? Then the Chancellor of the Duchy makes one other observation. He says as an objection to the Amendment—"It is quite true that by the means you have suggested this Irish Legislature might evade all the precautions we have taken in our Bill, and all the safeguards adopted for the benefit of the Loyalist minority, which we have again and again assured you would be sufficient for the purpose. But why should you bother about that? There are lots of other ways in which they could be evaded." "While I have been on my feet," said the Chancellor of the Duchy, "I have thought of one." Accordingly the right hon. Gentleman makes us a present of another way in which these safeguards can be evaded. Was there ever such a confession of impotent statesmanship as that which has been made by the Chancellor of the Duchy? I go back for a moment to the argument of the Prime Minister; I will not say much about that, because it was evidently brought forward in complete misapprehension of the meaning of the Amendment which it criticised. The right hon. Gentleman conjured up a hypothetical case, in which he supposed the Upper and the Lower Chambers—I think, considering the constitution of these two Chambers, we might say "the Lower and the Lowest Chambers"—to be in strenuous conflict. A case of that kind is hardly likely to arise. The Government have taken precautions. They have arranged that the electorate of one Chamber shall be, at all events, of the same character as the electorate of the other; and there is no reason to believe that the two Chambers will on any important question have even the slightest family dissension. "But suppose that is the case," said the right hon. Gentleman, "and suppose that the Lower Chamber is endeavouring to make good its great Constitutional right, and in order to promote its views, it tacks some Bill or other on to a Money Bill"—well, even in that event, why on earth should the Lord Lieutenant interfere? Is that a case in which, under any conceivable circumstances, the Lord Lieutenant would be interested in interfering? We are dealing with the Lord Lieutenant now as representing Imperial interests, or, at any rate, those local interests which it is the duty of the Imperial Parliament to protect.

The Lord Lieutenant in that capacity will not want to disallow provisions in an Appropriation Bill if it only involves a domestic quarrel between the two Chambers, and does not raise any question of oppression to the minority, or dishonesty, or anything injurious to the interests of the British Parliament. In all these cases the Lord Lieutenant would have no ground whatever for interference, and it was perfectly certain that he would not interfere. The only case in which the Opposition desire to reserve the interference of the Lord Lieutenant is the case in which the Irish Parliament has brought in a Bill which is either beyond their powers, or held to be by the Imperial Parliament oppressive and unjust; and, knowing that it will most likely be vetoed by the British Government, has tacked it on to an Appropriation Bill. It has been clearly pointed out that in that case we shall be under a great disadvantage. Unless the proposal of the Irish Government is of such a character that we must take any risk rather than allow it to pass into law, the probability is that the Imperial Government will wink at it and allow the irregularity to take place. But if the proposal is so serious that the Imperial Government finds itself obliged to deal with it, then the greatest possible inconvenience will arise, and the irritation necessary to the exercise of the veto under any circumstances will be greatly increased. It will surely be to the convenience and advantage of the Irish people, as well as of the British, if the Lord Lieutenant has the right to veto those parts of a measure of which he disapproves without including all those parts to which no objection is taken. In sitting down I would take note of a remark which the Prime Minister has several times repeated, to the effect that the Irish Lower House would find its highest and most important functions in dealing with the taxation of the people. Well, I suppose I am justified in believing that that goes further than the Irish Parliament, and applies to all other popular Representative Assemblies. Under those circumstances, I am quite sure that the Prime Minister can be counted on as one who, when the House of Commons comes, as it will shortly come, to its most important function—

*Mr. J. Chamberlain*

**MR. T. M. HEALY** : Question, question !

**\*MR. SPEAKER** : Order, order !

**MR. T. M. HEALY** (persistently) : Question, question, question !

**MR. SPEAKER** : Order, order ! I must ask the hon. Member not to interrupt. The House knows what these interruptions sometimes lead to.

**MR. T. M. HEALY** : Is the right hon. Gentleman in Order—

**MR. SPEAKER** : Order !

**MR. J. CHAMBERLAIN** : I will only finish my sentence. When the House comes to deal with Supply, I hope there will be no interference with the fullest discussion on the part of the Prime Minister.

**COLONEL SAUNDERSON** (Armagh, N.) ventured to intrude in this Debate for a few moments in order to say a farewell word about what he considered was perhaps the greatest of the many shames which had distinguished this Bill. The proposal to give the Lord Lieutenant and his veto as a protection to the Irish minority had always been looked upon by the minority with whom he acted as a worthless provision. He did not believe the Lord Lieutenant would be even ornamental, and certainly not useful. They would first of all—and perhaps this would be one of the difficulties of the situation—have to get a Lord Lieutenant, and he ventured to say that one of the difficulties would be to get a British gentleman to consent to occupy the post. He concluded that the gentleman who would be asked to fill the post of Lord Lieutenant, and to act in that grave capacity in Ireland, would ask the Government of the day what his functions would consist of, and what his duties would be. Under the Bill as at present drawn it appeared to him that the ostensible object of the Lord Lieutenant would be to keep in order the Irish Parliament. He would ask the House to conceive for one moment the task that would be placed before any gentleman who would be asked, for instance, to keep in order the hon. Member for North Louth (Mr. T. M. Healy). How would he ever be able to keep the hon. Member for Louth in order except by the permission of the hon. Member, or to keep the hon. Member's friends in order except by their permission.

**MR. SEXTON:** You will not be the Lord Lieutenant.

**COLONEL SAUNDERSON** said, he was very glad of that. The Prime Minister, in his speech, as he generally did, asked why should they have any doubts about the good sense and fair play, and the desire to act with impartial justice, of this Irish Assembly. Well, the Irish Assembly would be composed of men—whom they could not exactly say, as they could not foretell the future; but they knew who the leaders would be. They would be the same parties who were now acting so harmoniously below the Gangway—the Party elected entirely by the Roman Catholic priests, and that advanced section which was led by the hon. Member for Waterford (Mr. J. E. Redmond), whose policy had been described by the Chancellor of the Exchequer as a Fenian policy. Those were the two Parties which would exist in the future Irish Chamber, and they were not influenced in estimating their future conduct by any effort of their imagination; they judged what they would do, what they would say, and how they would do it and say it, by what they had said and done in the past. That was a fair way of estimating and judging the functions of the National Assembly, which would be composed of men who had described in large letters their intentions in the future when they had the power to carry them out. If the Lord Lieutenant of the future was really meant to be anything but a sham he would be given very considerable powers to act on his own responsibility in restraining the action of this Irish Assembly, which would undoubtedly be actuated by the desires and by the motives of the men who had led a certain section of the Irish people during the past few years. The Lord Lieutenant, if they could ever get an English gentleman to take the post—a thing which he doubted very much—would have to place himself under the supreme authority and guidance of the hon. Member for North Louth (Mr. T. M. Healy). To get such a man they would have to create a Peer from someone on the Government Bench opposite who was accustomed to that degradation.

\***MR. SPEAKER:** I must remind the hon. Member that the Amendment is a

specific one, and he must address himself to it.

**COLONEL SAUNDERSON** bowed to the Speaker's decision, and would imagine the Lord Lieutenant existed—about which, however, he was extremely doubtful—and that it would be his duty to examine whether any tack was made on an Appropriation Bill which was contrary to his ideas of right and justice. That was really the point. The right hon. Gentleman the Prime Minister in his speech entirely misunderstood the drift of the Amendment and the arguments of supporters of it. The Prime Minister had made some 245 speeches during the progress of the Bill and had spoken for some 90 hours, and therefore he, no doubt, got "mixed" up. But passing from the Prime Minister, who got "mixed" up, and coming to the Chancellor of the Duchy (Mr. Bryce), who thought he knew what he was talking about but never did, they had some very remarkable statements from him. This Lord Lieutenant was supposed to be his (Colonel Saunderson's) special protector; and if anything was tacked on to an Appropriation Bill for the spoliation of Ulster or to squeeze the landlords like lemons—which was the policy of the hon. Member for North Louth (Mr. T. M. Healy)—his protector would have to see if he could not modify the asperity of these particular movements. [An hon. MEMBER: They would be sold out before them.] Yes; but they would never be paid. That was the method—the simple method—which they stated they intended to put in force when they got the opportunity. This Lord Lieutenant, if they could get one, would have the duty of protecting the minority; and the right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce) said it was no use bringing in this proviso, as there were other doors in this draughty Assembly by which the ingenuity of hon. Gentlemen below the Gangway could escape from any proviso they chose to place in their Bill. He quite agreed with the right hon. Gentleman; but the right hon. Gentleman went on to say the Lord Lieutenant could arrest any attempt on the part of the Irish Assembly to pass unjust legislation. The right hon. Gentleman, however, did not tell them how, and he was taken up by the right hon. Gentleman the Member for West Bir-

mingham (Mr. J. Chamberlain); but he (Colonel Saunderson) did not think the Member for West Birmingham really took the lesson from that speech that he ought to have taken. When the Chancellor of the Duchy told them that flattering tale of the future success of an Irish Lord Lieutenant he was letting the cat out of the bag as to the methods they intended to adopt in the constituencies before the next General Election. They would tell the constituencies that the Irish minority were amply protected; that there was no necessity for putting anything more particular or definite in the Bill, because the Lord Lieutenant, if anything went wrong in this low and lower House, would be able to arrest it; he would be able to tell them to stop, and prevent it coming to a head. The right hon. Gentleman would tell his constituents there was ample protection afforded in the Bill, and there would be no one to take him up; but in this House the right hon. Gentleman was taken up. He should like to know from his hon. and learned Friend opposite how the Lord Lieutenant under this Bill would be able, outside the clauses of the Bill, to go down *proprio motu* and arrest the Irish Assembly in a course he might rightly believe to be contrary to justice, and in a direction which this House would absolutely refuse to accept or to justify? It would be absolutely impossible that he could do so, though it might pass muster upon hundreds of Radical platforms. How, he wanted to know, was it to be carried out? How were they, the Irish minority, going to derive any satisfaction from the promise of the Chancellor of the Duchy (Mr. Bryce) that in case the Irish Legislative Assembly, which would be a Home Rule Assembly, a Land League Government and a Land League Parliament, acted contrary to the intentions of the Bill, they were to be arrested by some innocent Lord Lieutenant going over to Ireland? Even if they found the man, he did not know how this future Irish Legislature was to be arrested in any violent action which they were bound to take up according to their promises to the Irish people. Was the Lord Lieutenant to send the Usher of the Black Rod to the Irish House to tell them to stop? How was he to address the Assembly? If he did do so, he would find

*Colonel Saunderson*

it the worst Assembly he ever saw in his life. The protection which the Lord Lieutenant was supposed to afford to the loyal minority by influencing the future Irish House of Commons was a figment of the imagination of the Prime Minister introduced into the Bill to gull and delude the British people into the idea that the Bill did supply to the Irish minority some authority on which they could hang their hopes in the future. He (Colonel Saunderson) denied that the Lord Lieutenant and his veto was any protection. So far as he was concerned, and so far as those for whom he spoke were concerned, he could only say they might sweep away the Lord Lieutenant and his veto, and they would dislike and hate the Bill, and seek to overturn it, as much then as they did now.

MR. SEXTON said, the hon. and gallant Gentleman who was always more interesting than instructive, or—to use his own phrase—more ornamental than useful, had given them another of the many proofs he had afforded of his ability on any occasion to deliver an animated speech which had no relation to the subject. The hon. and gallant Gentleman was about as consistent as usual, for whilst in one part of his speech he said he doubted whether they could find a Lord Lieutenant at all, at another point he said he might be swept away. The hon. and gallant Gentleman did not study the matter in debate. He (Mr. Sexton) did not think he had read the Bill.

COLONEL SAUNDERSON: I have.

MR. SEXTON said, in that case he had forgotten it, because if he had read the first paragraph of Clause 21, three lines which would not tax even the terrible memory of an Irish landlord, he would have found that every subject of the Queen “shall be qualified to fill the office of Lord Lieutenant.” The hon. and gallant Gentleman doubted whether they would find an English gentleman. They need not necessarily find an English gentleman. If they were driven to an extremity and found it hard to get an English gentleman, there were many Irish gentlemen who would gladly take the office, for he never heard of an Irish landlord who refused £20,000. The hon. and gallant Gentleman suggested, on the question of the Irish landlords, that if they sold their land they would not get the price for it. Well,



they had the experience of the past before them, and no Irish landlord had yet sold his land without getting an excellent price for it. Perhaps they had better come to the Amendment. He doubted if the hon. and gallant Gentleman said anything which was capable of being made the subject of debate. No one hearing the animated declamation of the right hon. Gentleman the Member for West Birmingham and other hon. Gentlemen, and the salvoes of cheers and laughter with which their speeches were greeted, would think that this was a proposal to apply to the Legislature of Ireland a provision which was utterly unknown to the British Constitution. It was unknown here. The Sovereign here, even if the veto was revived, could not say "yes" to one part of an Appropriation Act and "no" to another part. The veto was an indivisible power, and the Representative of the Sovereign must say "yes" or "no" to the whole Bill, and could not divide the Bill into parts, one part of which might be passed into law and the other part rejected. In the three or four score years that had elapsed since Parliaments were established in other parts of the Empire this question might have arisen. He did not know whether or not it had. Local Parliaments might have endeavoured to tack on to an Appropriation Bill and to force upon the Representative of the Crown provisions which would otherwise be vetoed. If such a case had ever arisen, apparently it had been settled without reference to any such cure as was suggested here. The Chancellor of the Duchy (Mr. Bryce) to-night spoke in what he (Mr. Sexton) thought was a strictly Constitutional sense when he said that it would be open to the Lord Lieutenant in Ireland, when the popular Chamber proceeded to tack on to an Appropriation Bill any provisions, objectionable either from the point of view of Imperial interest or natural justice, or because they were oppressive to the minority in Ireland—it would be open to the Lord Lieutenant to warn his Ministers of the consequences. The hon. and gallant Gentleman, in his usual dramatic style, suggested that it would be difficult for the Lord Lieutenant to address the House. Why need he address the House? He need only send for a Minister. There would be daily com-

munication, of course, between the Lord Lieutenant and his Ministers in Ireland. Suppose he saw the Irish Chamber proceeding to tack on to an Appropriation Bill a provision to place an undue tax on Ulster, or to endow a Church, or any other provisions *ultra vires* or unjust, he would send for a Minister and say to him—"There is no doubt that if you talk on these provisions to this Appropriation Bill you stand in danger of having the whole Bill vetoed." Such a warning from the Viceroy would be perfectly Constitutional. Ministers would confer upon that, and then they would be placed in this position—that if after the warning given to them they persisted in putting in the Appropriation Bill any incongruous matters they would bring the Government of Ireland into the danger of having its whole system deranged; and if they persisted and passed this hybrid Bill the Lord Lieutenant would have the right to dismiss them from Office and to call in a new Ministry, who would present an Appropriation Bill as a separate Bill. If the Lord Lieutenant could find no Ministry to fulfil the conditions which he thought proper the Lord Lieutenant would be authorised to dissolve the Chamber; and he (Mr. Sexton) submitted to this Assembly that if Irish Ministers, by their obstinacy, refused to follow the usual Constitutional course of passing an Appropriation Bill confined to money solely, they would come before the electors of Ireland as persons who, by their obstinacy, and by their departure from Constitutional usages, had put the country to the trouble of a General Election, and brought about the derangement of the Public Service. Who would be the more concerned in guarding the Public Service in Ireland—the Irish Ministers or the English Ministers? What money would be in question? The Revenue of Ireland, and the special Revenue of Ireland. Some hon. Members might be of opinion that an Imperial contribution would be a part of the appropriation grant. It would not. The Treasury had the power to take Ireland's contribution out of the Revenue of Ireland before it was paid into the Irish Consolidated Fund. The money to be administered in the Irish Chamber would be Irish Revenue for Irish uses only; and if Ministers, by a side wind, attempted to foist upon the

Lord Lieutenant in an Appropriation Bill provisions which had nothing to do with money, or improper provisions relating to money, they would be placed in the position that the necessary disposition of the Revenue of Ireland would be deranged, and, in his judgment, they would incur a heavy penalty at the hands of the country. That he considered ample security. If the Bill passed into law the veto then would come into play, and he had not the slightest hesitation in saying if, against a previous warning, Ministers in Ireland persisted in forcing such a Bill upon the Lord Lieutenant, that the Lord Lieutenant would be entitled to apply his veto to the whole Bill. No serious derangement of the Public Service need follow. The Irish Chambers would be bound to carry on their Session. They would be obliged to continue the Session, and as the salary of every public official in Ireland was dependent upon the passage of the Appropriation Bill. Ministers would have no option but to proceed with the Appropriation Bill alone, and leave out the other provisions. The consequence would be that, after some inconvenience and some delay, Ministers would be obliged to proceed in a Constitutional way. Now, for the hundredth time in this discussion, they found an Amendment before them which was not commensurate with the point of grievance or danger. The grievance was only where the Appropriation Bill included an incongruous provision. If this Amendment was carried, whether it included such a provision or not, the Lord Lieutenant and the Imperial Cabinet would be entitled to take their pens and run them through each provision of an Appropriation Bill which did not meet their pleasure, although the money in question would be the special Revenue of Ireland for the purposes of Ireland only. From the point of view of common sense or of self-interest, he, as an Irishman, would much prefer to deal with the Revenue of Ireland in Committee of Supply in this House rather than submit to such a system under which—after officers had been appointed, after liabilities had been incurred, and after the two Chambers in Ireland had gone through the length of transacting Votes of Supply for the year, and placing them in an Appropriation Bill—Ministers, 400 miles away, would be entitled to

*Mr. Sexton*

take their Bill, dealing with their money for their own purposes, to take up the function of a public auditor in regard to a Corporation and surcharge the Irish Legislature for whatever they pleased. Members of all Parties would recognise that the proposal was farcical.

MR. BOUSFIELD (Hackney, N.) said, this was one of a class of Amendments intended to render the veto a really effective veto, and to give effect to the Preamble, which professed to preserve the Imperial supremacy. The hon. Member for Kerry said that if the power sought by the Amendment was conceded the Lord Lieutenant might run his pen not merely through the particular item in the Appropriation Bill which was contemplated by the Mover of the Amendment, but through other items. The hon. Gentleman forgot that on the face of the Bill, in theory, at all events, the Lord Lieutenant had power to run his pen through the whole of the Appropriation Bill if he received instructions in that respect. The Amendment, in the face of it, seemed an eminently reasonable one. It was contemplated that the Appropriation Bill might have bound up with it something which ought to be vetoed. It seemed to him, therefore, a most simple and obvious expedient that the Lord Lieutenant should be able to veto that which ought to be vetoed without, at the same time, vetoing that which ought not to be vetoed. Not only that part of the Amendment, but the other part of it, was, as a matter of fact, in accordance not merely with the American precedents, but also in accordance with Colonial precedents which had been established and maintained for the last 40 or 50 years. In almost every one of the Colonial Acts there was a provision that the Governor might, if he pleased, send a Bill back to the Assembly before he gave his consent, requiring that certain Amendments should be made in the Bill; and that provision had been found convenient in practice, not only by the American Legislatures, but by our own Colonial Parliaments. This Amendment was designed to carry out that which had been for years past the professed intention of the Government—namely, that the Legislature set up by the Bill should be a subordinate Legislature. Years ago the Prime Minister said it must be an essential feature of any Bill that the

Imperial supremacy should be effectively maintained. At the last Election they heard for the first time that the model of Imperial supremacy was to be of the same kind as that exercised over our Colonies. That declaration, he confessed, in his own constituency secured him many votes; but even the declaration that the vague kind of supremacy exercised over Colonial Legislatures was to be exercised over the Irish Legislature had been departed from by the Prime Minister in the course of these Debates, and they were not even to have the same kind of supremacy as that which was exercised in the case of the Colonies. The idea of legislative subordination which the Prime Minister started years ago and maintained up to the beginning of these Debates had grown into the notion of legislative freedom. How did the right hon. Gentleman reconcile the fact that he had gained the majority, such as it was, in this Parliament, upon the faith of his intention to create a subordinate Legislature, with the professions he had made in the last two or three days that the intention was not legislative subordination, but legislative freedom? He hoped that, even at the eleventh hour, the Government would recognise the reasonableness of the proposition now put forward, and would accede to the Amendment.

Question put, and negatived.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton), on behalf of Viscount Wolmer, moved the following Amendment:—

In page 4, line 3, after the word "Bill," to insert the words,—“Whenever any Bill which shall have been presented for Her Majesty's assent to the Lord Lieutenant shall by the Lord Lieutenant have been assented to in Her Majesty's name, the Lord Lieutenant shall forthwith transmit to one of Her Majesty's principal Secretaries of State an authentic copy of such Bill so assented to; and it shall be lawful at any time within one year after such Bill shall have been so received by the Secretary of State for Her Majesty by Order in Council to declare Her disallowance of such Bill; and such disallowance, together with a certificate under the hand and seal of the Secretary of State, certifying the day on which such Bill was received as aforesaid, being signified by the Lord Lieutenant to the Irish Legislature by speech or message to the said Legislature, or by proclamation in the Irish Government Gazette, shall make void and annul the same from and after the day of such signification.”

He said that he had an Amendment on

the Paper in almost similar terms to this, the only difference being that he had suggested two years as the probationary period instead of one, as was suggested in the present proposal; and, of course, as he was now moving the Amendment, he must support the period of one year. There was this much to be said for the Amendment. It was put down on the Second Reading of the Home Rule Bill, and it was the first to be shut out by the guillotine arrangement on the 6th July. It might be said that the Amendment was discussed on the previous occasion; but it was only under discussion for the space of half-an-hour, and considering how important the subject was there was no need to offer any apology for again bringing it before the House. As far as he had been able to make out, the Amendment he now moved had been adopted in the Constitution of every one of our Colonial Possessions, and not only so, but they held this particular safeguard in great esteem. During the previous short discussion on this Amendment there was one argument only advanced against it; and that was that the difference in distance between Ireland and the Colonies made this provision, though useful in the case of the Colonies, entirely unnecessary for Ireland. He ventured to submit that the question of distance did not affect the value of the provision, because in these days of rapid communication a few odd thousand miles made very little difference. As he had said, statesmen in the Colonies attached very great importance indeed to this safeguard. In March and April, 1891, there was a Federation held of all the different Colonies; and at the close of that Convention there was carried—practically unanimously—a clause in almost identical terms to that which he was now moving, the only difference between the delegates being whether the term should be for one year or two years. Sir Samuel Griffiths spoke very strongly in favour of keeping this provision in their Bill; and Mr. Marmion, who at that time represented Western Australia, said—

“So long as we give to the Queen the power of appointing the Governor General, we ought to allow her some exercise of discretion as to the salary her appointee shall receive. Under this Bill the connection between the British Crown and Australia generally is so very slight that we ought not to do anything calculated to weaken it. The time will possibly arrive quite

soon enough for the connecting link to be cut altogether, and we should, at any rate, do nothing in this Convention to hasten that time."

He respectfully claimed that as they considered this so valuable in the Colonies, and as this Parliament was to have the right of control over the Irish Legislature, they were entitled to have this Colonial safeguard put into the Bill. He really did think the Government would be acting wisely in adopting the Amendment. If they were to exercise control, surely it would be better to exercise it in the way tried in all our Colonies and proved to be a success, and which would enable the Imperial Parliament or the Queen in Council, advised by her English Ministers, to give a Bill a trial, and if it worked well to let it continue, and if it worked badly to veto it, without that direct veto from the Imperial Parliament which, without doubt, would lead to great friction. They could imagine countless instances in which the Lord Lieutenant might be unwilling to veto a Bill and yet be unwilling to give it assent. If this proposal were adopted he would be able to give it one year's trial, and if it worked well he would let it continue, whilst if it was a failure he would exercise the power of making it void. He begged to move the Amendment.

#### Amendment proposed,

In page 4, line 3, after the word "Bill," to insert the words,—“Whenever any Bill which shall have been presented for Her Majesty's assent to the Lord Lieutenant shall by the Lord Lieutenant have been assented to in Her Majesty's name, the Lord Lieutenant shall forthwith transmit to one of Her Majesty's Principal Secretaries of State an authentic copy of such Bill so assented to; and it shall be lawful at any time within one year after such Bill shall have been so received by the Secretary of State for Her Majesty by Order in Council to declare Her disallowance of such Bill; and such disallowance, together with a certificate under the hand and seal of the Secretary of State, certifying the day on which such Bill was received as aforesaid, being signified by the Lord Lieutenant to the Irish Legislature by speech or message to the said Legislature, or by proclamation in the Irish Government Gazette, shall make void and annul the same from and after the day of such signification.”—(*The Marquess of Carmarthen*.)

Question proposed, “That those words be there inserted.”

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.) said, the Government could not accept the

*The Marquess of Carmarthen*

Amendment of the noble Lord, and he would briefly state the reasons why they could not accept it. He did not lay any particular stress upon the fact that this question was discussed—if not at very great length, at some length—on the 5th July, and the proposition was then negatived. It was, of course, for the Opposition to consider whether, during the short remaining time at their disposal, they should utilise their opportunities to discuss topics on which the House had already expressed an opinion, or whether they should break new ground. The reason why the Government objected to this Amendment was this—the Bill proposed to give to the Irish Legislature within a certain defined area, and subject to certain definite limitations, the power of legislating; and it was the policy of the Government that the Irish Legislature should have within that sphere freedom, but not independence. That was to say, that on these matters, subject to the limitations proposed by the Bill, they should have effective powers of legislating as they considered right, subject always to the interference on definite instructions of the Lord Lieutenant. He had to ask the House, did not the provisions of the Bill afford ample opportunity for considering beforehand whether any Bill should receive the Royal Assent or not without introducing the provisions of this Amendment? The noble Lord proposed that in the case of a Bill which was within the province of the Irish Legislative Body, and which had passed both Houses of the Irish Legislative Body, whatever that Bill might be, yet after the passing of that Bill—after effect had been given to it, upon the faith of which action had been taken, engagements entered into, and obligations undertaken—at the end of the year that was all to be brushed aside and the Bill declared to be null and void. Consider the complications that might follow from that course. That would be a very extreme step to take unless a very clear and obvious necessity existed for following it, and he thought the House would see that it was a proposition which ought not to be adopted unless that clear and obvious necessity was made out. Was there any such necessity? There was daily communication by post with Ireland, there was



telegraphic communication, and there were the daily organs of the Press. Was it conceivable there would not be full and ample means of information long before the Bills became law which would be sufficient to guide the judgment of those concerned? Although it might not be the intention of the noble Lord who moved it, the Government regarded this Amendment as an invitation to the Imperial Parliament and Cabinet to do that which they deprecated doing except in cases of extreme necessity—namely, to interfere with Irish legislative action within the domain of the powers conferred by the Bill.

MR. TOMLINSON (Preston) said, it appeared to him that the Attorney General had not given the slightest attention to the facts on which the noble Lord based his support of this Amendment. They had been told again and again that the model taken for framing this spurious Constitution had been that of the Colonial Assemblies. They had the fact that in most of the Colonies this very provision existed; that it had been acted upon for years; that no possible inconvenience arose from it, and yet they were told that although they could all work under a provision of this kind, it would be an indignity to the Irish nation, and such an invasion of the privileges of this not independent, but free, Legislature, that it was not to be tolerated for a moment. Surely the rational and sensible thing to do was to introduce that kind of provision which had worked well in the Colonies, and bring the Bills over here in order to allow time enough to consider their scope and working, and to give an opportunity of dealing effectively with them. Unless the Government could show why a provision which had worked well and was approved in all our Colonies should not be applied to this other subordinate Legislature, the Opposition had not received that answer which was due to them.

Question put, and negatived.

MR. ARNOLD-FORSTER (Belfast, W.) moved the following Amendment:—

In page 4, line 3, after the word "Bill," to insert the words—"The prerogative of mercy shall not be exercised by the Lord Lieutenant on behalf of Her Majesty, except upon the advice of one of Her Majesty's Principal Secretaries of State."

He observed that the time for a consi-

derate and rational answer on the part of the Government to any proposition had passed away. He had some satisfaction in thinking that he had the honour of being possibly the Member to propose the last Amendment that would be submitted to the House before the grotesque operation of that night was undertaken, and he should be able to tell his constituents that an Amendment which he believed to be of first-rate importance had been made the subject of the procedure with which they were threatened. He thought it would be a very useful object-lesson, and of valuable assistance to him in demonstrating the thesis which he should have to present to them. The Amendment was necessary as a consequential Amendment on one which had been before the House during the discussion of the Bill. Allusion had been made in the course of the discussion to the powers of the Lord Lieutenant in regard to certain subjects, and as to whether those powers were properly defined by the Bill as it now stood. He (Mr. Forster) did not propose to confine himself to the reserved subject mentioned in Clauses 3 and 4. He was anxious to point to some of the patent absurdities that appeared on the face of the Bill, in the hope that the Government might be induced to relieve him with regard to the Amendment which he brought forward. He had no sanguine hope, however, at the present moment. The question was whether or not it should be in the power of the Irish Legislature to exercise the prerogative of mercy, depriving this House of the power it now exercised with regard to that prerogative. It would, no doubt, be said that it was an ungracious thing to seek to deprive a Legislature of the power of exercising this prerogative; but he had no scruples whatever in making that proposition for taking the prerogative away from the Party to which he was opposed—a Party which never had shown mercy to any man opposed to it, a Party which had been the most unmerciful and cruel in the history of the country. He wished to show how this matter worked out. He would take the case of the dynamite convicts, upon whose behalf it had been said by the Home Secretary that the Lord Lieutenant was bound to receive the Petition of the Corporation

of York, although the cases were cases with which he had nothing to do, and in regard to which he could not exercise his prerogative, these persons being in English and not in Irish gaols. He wanted to come to the cases of convicts similar to those convicts in Irish gaols. They had had a pretty plain statement this Session from the Home Secretary with regard to these felons; and the right hon. Gentleman announced the view of, as he (Mr. Arnold-Forster) believed, the majority in the House, that these prisoners were properly detained, and that they should not be released. But were they prepared to set up a state of things in which the Home Secretary would be overruled, and these persons would be free from the control of the judgment of the House? It had been suggested that a statement of that kind required some qualification, as these felons were convicted on charges which brought into play the provisions of the Bill—that they were convicted of treason-felony, and that that was a subject reserved from the control of the Irish Legislature; but he had to remind the House that there were many cases of which that could not be said. The House would remember the case of the Manchester murder—the case of the murder of Sergeant Brett. The prisoners in that case were not indicted for treason-felony, but for wilful murder. Then they had the case of the Phoenix Park murders. The prisoners in that case also were convicted of murder. Were they going to give the Irish Legislature power to set free prisoners convicted of that and of similar crimes? Time after time sympathy had been expressed with these convicts in the columns of *United Ireland*—the warmest expressions of sympathy had been published in that journal; and it was rational and reasonable to suppose that the statements given in the journal of the Party opposite (the Irish Members) in Ireland, and addressed to their followers, would represent their views. The case of the Phoenix Park murders, like other cases that could be named, was not an Irish case solely; it was that of an Irish official and an official of the United Kingdom, and affecting the United Kingdom. Were they, then, prepared to grant the power to exercise this prerogative in such cases, or were they willing that such powers should be kept

*Mr. Arnold-Forster*

in the hands of the Imperial Government only? It would be said that it would be a great inconvenience to deprive the Irish Legislature of the power of exercising the prerogative in certain cases—that there were many cases which must necessarily arise in which it would be convenient that this power should be exercised without appeal to the Imperial Government. But, in his opinion, the greater included the less, and he desired that they should be safeguarded, so that the class of persons to whom he referred should not be let loose upon England and Scotland. Under this Bill Irish Judges and juries would be in sympathy with the views of the Irish Legislature, and persons convicted by them would be convicted with the full approval of the Government. They had to remember that there were two Parties in Ireland. They had had failures to convict in recent cases. There was a part of Ireland where the operation of the law was automatic; but in other parts they had a paralysis of the law. According to the code which prevailed in Irish society outside Ulster, men were regarded as guiltless who, while committing no crime against the Irish people, perpetrated outrages against the English and Scotch people. There was only one part of Ireland—the North—in which they could rely upon getting an honest verdict in such cases. It was reasonable to think that, while the prerogative of mercy remained with this House, it would be exercised with due regard to the feeling that prevailed throughout the United Kingdom as to what was and what was not criminal. This was not the first time the matter had been under discussion. It had been discussed in connection with Colonial Legislatures and Executives, and there had been a delegation in regard to it; but the Colonies had no part in the deliberations of this House. This Bill did nothing that was analogous to the Colonial case. The Irish Members would sit in this House, and would have their full share in deliberations on the subject of the Queen's prerogative. Another question was how they were to deal with persons who had fled this country, and who did not dare to face the tribunals of this country—men who had always sympathised with the Irish Nationalist Members, and who had been in personal

contact with some of them, and who knew that if they returned to this country they would be convicted by the tribunals of the country. These men might return. Under the circumstances what, he asked, would be their position? They knew perfectly well that if brought before a Court in Ireland, and convicted of the offence charged against them, they were certain of having the prerogative of mercy exercised in their favour. He did not want to go into detail, but it was within the knowledge of the House that there were many who had fled the country within the last 10 years—men whose return would be regarded by the great majority of the people of England, of Great Britain, with regret and apprehension—men who had encouraged and inflicted an amount of injustice upon the Queen's subjects which they did not wish to see repeated. Those persons were in sympathy with those who would be the first Ministers of Ireland under this Bill. The question was, would they give the prerogative over to those Ministers, or would they keep it with the Imperial Parliament. He believed this was a reasonable Amendment, and he would like to hear something of a clear and definite character from Her Majesty's Government touching a matter which vitally concerned those whom he represented, and those whom he did not represent—but for whom he might say that they had suffered for the crimes committed by those men, and would suffer still more if this power was entrusted to the Irish Legislature. He begged to move the Amendment.

#### Amendment proposed,

In page 4, line 3, after the word "Bill," to insert the words, "The prerogative of mercy shall not be exercised by the Lord Lieutenant on behalf of Her Majesty, except upon the advice of one of Her Majesty's Principal Secretaries of State."—(*Mr. Arnold-Forster.*)

Question proposed, "That those words be there inserted."

MR. J. MORLEY: Mr. Speaker, the hon. Member who has moved this Amendment began by saying that the subject would afford an object-lesson to his constituents and to the constituencies of the country. He declared that it would illustrate the suppression of free speech, which the necessity of bringing this Debate to a close compels us to enforce. Sir, I desire no better object-

lesson. The hon. Member appears to forget that this very Amendment was discussed fully and amply on the Motion of the hon. Member himself on the 4th of July, when every argument which he has brought forward to-night was used by him.

MR. ARNOLD-FORSTER: I was closed before I could put the Amendment.

MR. J. MORLEY: On the 4th of July this Amendment was proposed. He made the Motion on that date, and it was discussed through many pages of *Hansard*, and a great many important and conspicuous speakers representing all quarters of the House took part in the Debate; and, as I have said, every single argument brought forward now was brought forward on that occasion. I desire no better object-lesson than the resuscitation of this Amendment on the Report stage, after its having been fully discussed and divided upon in Committee. This proposal is a type of what has been going on all through these Debates on the part of the hon. Member and others. The hon. Member said he wished to hear from us the view we are prepared to take of this matter; but I would remind him that on the occasion to which I refer the hon. Member got a rational and considerate reply from two or three of my right hon. Friends sitting on this (the Treasury) Bench.

MR. ARNOLD-FORSTER: I withdraw, Sir. I was mistaken.

MR. J. MORLEY: And the hon. Member asked us to divide, with the result that the numbers at this time were 250 for the Amendment and 293 against it. Here we are to-night again asked to discuss the question, devoting precious time to a matter which was deliberately negatived by a large majority in July. Surely the majority was large enough; and surely the majorities on Report have been large enough for the hon. Member? Now, Sir, I will not try to rise to the height of the hon. Member in giving what he would call a rational reply to his speech in moving the Amendment. I cannot give any new argument, but I will repeat some of the arguments brought forward on that occasion. The hon. Member asks the House to withhold from the Lord Lieutenant the power of exercising the prerogative of mercy or of remitting sentences in any

case without the authority of the Secretary of State in this country. Anyone who has had experience in the Irish Government knows that by far the majority of cases in which the Lord Lieutenant is advised to exercise the prerogative of mercy are cases of so trivial a character that anyone would be ashamed to go to the trouble of sending over to the Secretary of State in this country in order to see whether the prerogative of mercy should or should not be exercised—as, for example, whether a fine should be reduced from £4 to 10s., or whether a person should be imprisoned for a fortnight or the sentence remitted altogether. Does the hon. Member seriously contend that small matters of administration of that kind ought to be handed over to the Secretary of State here—with, possibly, Motions for Adjournment upon them in this House? That is not the spirit in which this Bill is proposed. We will suppose that the hon. Member has thought out carefully the subject of the Amendment as regard cases of a serious character when the action of the Lord Lieutenant might produce serious effects. But does he not realise what we have done? What we have done is this:—We have given to the Irish Legislature the power of making its own Criminal Law, with restrictions, and of arranging its own rules of criminal procedure. The hon. Member's argument is that, while apparently granting that the Irish Legislature may be fit to make its own Criminal Law and to inquire into the principles and practice of criminal procedure, the Lord Lieutenant is not to be allowed to mitigate sentences or to exercise all those functions of the prerogative without reference to the Secretary of State here. I do not believe that the hon. Member, on reflection, will seriously contend that the Government ought to adopt this view. It is a new scheme; and after granting these powers, are you going to prevent the Government tempering justice with mercy? All Governments do it, and, of course, you must allow the liberty of considering all the social circumstances that must be taken into account in every case. I agree with the hon. Member that a case might arise in which there might be a class of offenders whom it would be desirable that the Lord Lieutenant, on the advice of the Irish Ministry, should not have the power of relieving

*Mr. J. Morley*

from some of their punishment. In that case, no doubt the Secretary of State and the Government of the day would limit the power of the Lord Lieutenant in the instrument of delegation. But the hon. Member would tie the hands of the Secretary of State. By the Amendment he could not delegate the prerogative of mercy. So far from giving power, the Amendment limits power. It is a violation of the whole principle on which the Bill is framed, and, if adopted, it would lead to difficulties which would give rise to a most unworkable situation in the administration of the Criminal Law. I must, therefore, say for myself and my colleagues that we cannot assent to the Amendment.

MR. ARNOLD-FORSTER rose in his place, and was understood to say, by way of personal explanation, that he had brought the matter forward again because he attached great importance to it, and he had for the moment forgotten that it was so fully discussed in Committee.

MR. A. J. BALFOUR: I cannot agree with the general principle laid down by the Chief Secretary that whenever a matter has been discussed in Committee it ought not to be re-discussed on Report. We have certainly not shown ourselves actuated by a desire to repeat discussions that have taken place in this House. We have steadily kept in view the recommendation of yourself, Mr. Speaker, from the Chair, that it would not be desirable, in view of the brief amount of time at our disposal, that we should unnecessarily enter into a discussion of questions which have been already adequately discussed. Sir, we do not admit that because a thing has been discussed it should not be discussed on Report. That would be an alteration of our whole Parliamentary system, to which I would not give my assent. We have one hour left for the discussion of the remaining 36 clauses of the Bill—

MR. J. MORLEY: There are only 36 clauses in the Bill.

MR. A. J. BALFOUR: I had the Schedules in my mind. We have only one hour in which to discuss the remaining clauses of the Bill; and even the Government, with their peculiar views on Debates, will hardly think that that is adequate for the purpose. There is one important Amendment standing in the name of the hon. Member for South



Londonderry (Sir T. Lea), and I should regret that the Debate should come to an untimely close before an effort has been made to discuss it.

SIR H. JAMES : I should like to ask the Chief Secretary whether it would be in the power of the Lord Lieutenant to give a free pardon, not to convicted persons, but to any person who may have committed, or who may be suspected of having committed, any offence in Ireland in past times, so as to enable him to return and take his place as a free citizen and even as a Member of the Legislature of Ireland ?

MR. J. MORLEY : I think the right hon. Gentleman will not deny that the Crown has at the present moment power to pardon any one particular person. The whole question consequently will be whether the Advisers of the Crown think it right in framing the instrument of delegation to give the Lord Lieutenant such a power, and that will entirely depend upon the view of the Imperial Cabinet of the day.

MR. GIBSON BOWLES said, that as the right hon. Gentleman and the Legal Advisers of the Cabinet were responsible for these matters just now, it was fair to ask him how far he would extend the delegation of the prerogatives of Her Majesty ? He would point out that there were 282 Amendments on the Paper, including the one under discussion. Upon 264 of these they were not to be allowed to vote or speak—only the sacred Amendments of the Government were to be voted upon.

Question put, and negatived.

MR. FISHER (Fulham) said, he wished to move an Amendment which, perhaps, if not the most important on the Paper, was, at any rate, not without importance. He wished to add to Clause 5 the following proviso :—

“ Provided that such power of giving or withholding the assent of Her Majesty to Bills shall not be exercised by any executive officer or officers for the time being appointed in the place of the Lord Lieutenant.”

If the scheme brought forward by the Government had been meant for work and not for show, the Government would have paid attention to the making of some provision for the discharge of the duty of the Lord Lieutenant in the event of his resignation or inability to perform his functions, and they would have borne

in mind that the Lord Lieutenant under the Bill would have entirely new functions to perform. Though this matter had been discussed in Committee they had not arrived at any conclusion, and he could not help thinking that when the Government had accepted an Amendment moved in Committee many Members thought it an extraordinary thing to put the veto into commission. The object of the Amendment was that the power of veto, which was, after all, the very keystone of the Bill, and the arch upon which the liberties of the loyal minority rested, should not be exercised by any person or persons who might for the time being be appointed to act for the Lord Lieutenant. He would point out that in the American Constitution—which was not framed under such extraordinary rules as those which would prevent the discussion of Amendments to the present Bill after 11 o'clock to-night—provision was made for a deputy in the person of the Vice President. The American Constitution went further, and made arrangements for some other person to take the place of the Vice President if neither the President nor the Vice President could act. The Prime Minister had said that the Imperial Parliament would undertake responsibility for the discharge of the duty if the Lord Lieutenant was unable to act, but the House was being constantly told that the power of the veto of the Lord Lieutenant was to be the security of the loyal minority as against oppression and possible injustice on the part of the Irish Legislature, and what he now desired to know was by whom that power of veto was going to be exercised ? They ought not to leave the matter open for settlement on some future occasion. The Lord Lieutenant ought not to be allowed to nominate some mere creature of the Irish Legislature to exercise that power. If the right hon. Gentleman said that the Amendment did not provide for the exercise of the veto on the part of anybody when the Lord Lieutenant was unable to act, he would ask him if he would accept at the end of the Amendment the following words :—

“ But shall, while some executive officer or officers remain in office, be exercised by Her Majesty in Council.”

He did not think that the performance of the functions of the Lord Lieutenant,

under the conditions he contemplated, should be left to a haphazard arrangement.

Amendment proposed,

In page 4, line 3, after the word "Bill," to insert the words "Provided that such power of giving or withholding the assent of Her Majesty to Bills shall not be exercised by any executive officer or officers for the time being appointed in the place of the Lord Lieutenant."  
—(Mr. Fisher.)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE was understood to say that the Government had assented to a proposal to enable the Lords' Justices to act in place of the Lord Lieutenant; and he did not understand why it was that, having gained that point, the hon. Member now desired to impose so stringent a limitation as that contained in the Amendment. It was not desirable that the functions of the Lord Lieutenant should be placed in a condition of paralysis. In the absence of the Lord Lieutenant for a short time, owing to causes of high necessity or to illness, it was necessary that the Lords Justices or someone should have the power to perform acts which might be necessary for the public welfare. A case had been put in which it might be necessary for the Lord Lieutenant to act forthwith, as in the case of the Explosives Act, which was passed through both Houses of the present Legislature in one day—indeed, he remembered another case where a Bill not only passed through both Houses, but received the Royal Assent in one day. That was done for the public convenience and advantage. The Lords Justices were not casual persons picked up here and there. There had been a suspicion that there would be some jobbery on the part of the Irish Executive, and that some improper personage might be named a Lord Justice in order to exercise the veto, but sufficient protection against an abuse of that kind was to be found in the Queen's Patent of appointment. If it was thought that there might be a wholesale delegation of the powers of the Viceroy, while it would not be wise to provide by Statute against some delegation of the powers, so that the necessary business of the State might not be stopped and delay caused by the unavoidable absence of the Lord Lieu-

tenant, no Government would assent to a wholesale delegation of his powers.

Question put, and negatived.

SIR T. LEA (Londonderry, S.) said, he wished to move to add at the end of the clause—

"Provided always that in assenting to any Bill whereby the rules of the National Board of Education in Ireland at present in force may be altered, or to any alteration by the said Board of the said rules, the Lord Lieutenant shall act on behalf of Her Majesty."

All persons interested in the question of education knew that the present system in Ireland should be allowed to proceed undisturbed in its present position. It had made great advances of late years, and the people of Ireland were not ungrateful to the late Government for the assistance they had given in their Bill of 1892. Seven-eighths of the schools in Ireland were now entirely free from all fees. The system was undenominational, although it had gone a long way towards being denominational. When a similar question to that raised by the Amendment was under discussion the Prime Minister said that—

MR. T. M. HEALY : I rise to Order. Is the hon. Baronet in Order in referring to a Debate on another Bill in the same Session ?

SIR T. LEA said, that he was quoting what the Prime Minister said on the present Bill two weeks ago. The Prime Minister said that if the Irish Legislature carried the denominational principle to any length they pleased they would certainly come into conflict with the provisions of the Bill relating to undue preference. It was, therefore, quite clear that the Prime Minister intended that the present system of undenominational education should be continued, and further proof of that intention was afforded by the restrictions contained in the Bill, particularly Sub-section 4 of Clause 4, which said that the power of the Irish Legislature should not extend to—

"Prejudicially affecting the right of any child to attend a school receiving public money, without attending the religious instruction at that school."

Many of them had seen the great advantage of the present mixed system of education in Ireland. He had listened to Professor Fawcett 20 years ago on the advantages of men of all religious

Mr. Fisher

denominations being educated together—particularly in Ireland—and he believed the only way in which they would overcome the acerbities of Irish life, and the bitterness of religious feeling, was by a system under which men of all parties and creeds were trained together. Nearly half the schools in Ireland—that was to say, 3,817, were mixed schools. In Ulster there were 990 schools under Protestant management attended by 10·5 per cent. of Catholic children, and 878 schools under Roman Catholic management attended by 10·9 per cent. of Protestant children. In the other three Provinces the number of Protestant children was very small—no more than 2·8 in Munster, and 3·9 in Connaught—and it would be impossible that they could be educated under any other system than that of mixed schools. To put an end to that system would be to drive the Protestant families out of the South of Ireland. It had been stated in the course of the Debate that the Education Board of Ireland would have power to abolish the Conscience Clause. If that was so, the system of mixed education was doomed, and Roman Catholic families in the North and Protestant families in the South would have to seek their living elsewhere. He, therefore, contended that the Lord Lieutenant should have power to prevent the National Board of Education from in any way changing the present system.

#### Amendment proposed,

In page 4, line 3, after the word "Bill," to insert the words "Provided always that in assenting to any Bill whereby the rules of the National Board of Education in Ireland at present in force may be altered, or to any alteration by the said Board of the said rules, the Lord Lieutenant shall act on behalf of Her Majesty."—(*Sir T. Lea.*)

Question proposed, "That those words be there inserted."

MR. SEXTON: The Amendment of the hon. Baronet contains two propositions, one of which refers to legislative action and to the application of the veto by Imperial authority to Irish legislative action; and the other invites this House to sanction the principle that, after the granting of Home Rule to Ireland, the Imperial Government is still to be saddled with the responsibility of directing and advising the Lord Lieutenant to intervene and to overbear the will of the Irish Government in regard

to an internal matter between the Irish Government and one of the departments of administration in Ireland. The proposal is a novel one. I do not remember that I have heard it made before, and when the hon. Baronet says that he apprehends—though I know not upon what ground—that there may be an injury done to religious feeling in Ireland in connection with a department of primary education, I have to remind him that by the Charter of the National Board of Education the Board is equally composed of Catholics and Protestants—10 Catholics and 10 Protestants—and that as the charter will continue in force, that arrangement would remain, and in that arrangement I think a sufficient protection may be found for the interest of all denominations in Ireland. The hon. Baronet makes a very bold and sweeping proposition, because he asks the House to agree that in sanctioning any alteration whatever by the Board of National Education in their rules the Lord Lieutenant shall act as representing Her Majesty. I am sorry that at this moment I have not the rules of the Board of Education in my hand, but I have sent for them, and I dare say before this Debate concludes some one or other of my hon. Friends will bring under the notice of the House these rules, and enable hon. Members to understand to what function the hon. Baronet desires to commit the House. The rules of the National Board are not numbered by dozens or scores; they are numbered by hundreds. They have attached to them voluminous and complicated appendices. The system of the National Board of Education includes not only the appointment, qualification, and examination of teachers, the appointment and qualification of Inspectors, the building of schools, the building of non-vested schools, the hours of secular and religious instruction; but the general curriculum of education, the management of agricultural schools, and a variety of other subjects, and upon all these matters rules have continually to be made, revised, and repealed by the Board of Education. The proposal of the hon. Baronet is that in regard to all these hundreds of rules revisable from time to time, when the Board—composed of competent Irishmen, embracing some of the most distinguished and learned gentlemen in the country—Judges, clergymen, and others—alter any of these rules,

repeal any of these rules, or make any new rule, they are to have their decision overborne by the Imperial Ministers. The hon. Baronet's proposal is that the question of the alteration, revision, or repeal of any rule shall not be sanctioned by the Lord Lieutenant, even upon the advice of his Irish Ministers, and even when the opinion of the Board of National Education is unanimous; and that the unanimous opinion of Irish Ministers and the unanimous opinion of the National Board shall be overruled, and that the English gentleman whom you send over to the Castle shall come over to London and submit to the gentlemen sitting on the Treasury Bench—no doubt the most accomplished gentlemen in the country, but gentlemen probably not knowing much about Ireland—submit to them the question whether or not there shall be an alteration of the rule as to what shall be the amount of the grant for a school in Ireland, or what knowledge of arithmetic shall be possessed by a third-class teacher sanctioned, and to ask these 12 English gentlemen to pour contempt on the Irish Ministry and upon the Department of State authorised to conduct the system of education. In the wording of his Amendment—

“Provided always that, in assenting to any Bill whereby the rules of the National Board of Education in Ireland,” &c.

—the hon. Baronet displays his habitual inaptitude of expression, because if the question were only the assenting to a Bill, of course it would be all right. What the hon. Baronet means is, that in considering the question of his assent or refusing his assent he would act as representing Her Majesty. Does the hon. Baronet bear in mind, so far as the Bill is concerned, how abundant, how more than ample, are the provisions contained in the Act for the protection of religious feeling in the matter of education? He has cited some of them, and it is not suggested that they are insufficient. In Clause 4, Sub-section 2, we have it that the Irish Legislature must not pass any law imposing any disability or conferring any advantage or benefit on account of religious belief; and in the next sub-section, protecting any child attending a school receiving public money from any disability because of non-attendance at religious instruction within the school. I have not heard a suggestion that that

is not sufficient. The hon. Baronet has not said it. We have it, therefore, already in the Bill that the Irish Parliament cannot, by passing a Bill, do anything to prejudice the rights of any member of the community in the matter of education. If the Irish Parliament pass a Bill imposing disability on Protestants or Presbyterians, or affecting the right of any child to attend a public school without attending the religious instruction imparted at the school, I admit that the Lord Lieutenant has the right to veto it. The Amendment of the hon. Baronet is open to two objections. The first is that the rule of the National Board, which it may be desired to make, may be unobjectionable to everybody in Ireland. Why in that case should you refer to Imperial authority? But even if the Bill were objectionable, I say that the Imperial Ministry, even without the Amendment, would have power to direct the Lord Lieutenant to veto the Bill.

MR. J. CHAMBERLAIN: I observe, Sir, that the shorter our time grows the longer are the speeches of hon. Gentlemen opposite. The speech, however, to which we have just listened can be put into two sentences. The Amendment of my hon. Friend, according to the hon. Member for North Kerry (Mr. Sexton), ought not to be supported, in the first place, because the rules of the National Board of Education are very numerous and very complicated, and because to engage in any supervision of those rules would be to throw on this House and on the Lord Lieutenant a task altogether beyond their capacity. That was the hon. Member's first argument. His second argument was that already under the Bill this task is thrown on the Lord Lieutenant. It is perfectly evident that the two branches of the speech of the hon. Gentleman are absolutely inconsistent one with the other. As a matter of fact, it does not matter how complicated are the rules of the National Board; they are not more complicated than the rules of our Council for Education, and all that Parliament would have to look to in regard to any proposal of the kind contemplated by the Amendment would be whether it would be likely to affect the unsectarian character of the education. All other changes in the rules, everything affecting the teachers and the curriculum, would be passed over at once, and I would undertake to say that any

*Mr. Sexton*



intelligent Lord Lieutenant, on dealing with a Bill of the kind, would be able to decide in half-an-hour whether or not he ought to exercise his veto. I am not going to continue the discussion further than to say that this is an Amendment the discussion of which is, under the circumstances, of no importance. We have no time to deal with the matter by discussion or by argument, but it is of importance to have a vote and a Division List on the subject. We are extremely anxious to see who are the Members who will support the proposal of this Bill to place it in the absolute power of a Parliament, the majority of whose Members will be elected under the influence of the Roman Catholic priesthood, to deal with the present undenominational and mixed system of education as they please.

MR. T. M. HEALY (Louth, N.) said, it seemed to him that the more restricted the time became the more the right hon. Gentleman (Mr. J. Chamberlain) talked. He could have excused the right hon. Gentleman's rising at that hour if he had done so in order to explain his letter to Mr. Duignan. If there was one question on which the right hon. Gentleman was, according to his letter to Mr. Duignan, prepared to trust an Irish Parliament it was the question of education. The Nationalist Members would have gladly yielded the right hon. Gentleman a longer portion of the time of the House than he had occupied if he had utilised it for the purpose of unbosoming himself in explanation of that letter. The right hon. Gentleman, with that fulness of knowledge which, as far as he (Mr. Healy) knew, was confined to Birmingham alone, had been good enough to say that he desired that the rules affecting religious instruction should be referred to Her Majesty. He (Mr. Healy) understood that when these Amendments were placed upon the Paper there was a Council of the Unionist Party, and the right hon. Gentleman said to those present—"Look here, my fine fellows, this is what I want you to do," and then, bringing his great mind to bear upon these most difficult questions, he directed exactly how the Amendment should be drawn. Was it not a remarkable thing that, with the extraordinary knowledge which came from having been the Mayor of an important city—[*Opposition cries of "Question!"*] He hoped hon. Gentlemen would not, in view of the short time allotted to him,

fill up the interstices of his speech with disorderly interruptions. He was surprised that the right hon. Gentleman had not suggested to the hon. Baronet—he believed the whole Unionist Party were now Baronets—to the hon. Baronet the Member for South Derry (Sir T. Lea) that he should have directed his Amendment to the real question. There was one rule of the National Board of Education, at any rate, that he (Mr. Healy) asked that Nationalist Members should be allowed fair play upon, and that was the rule as to bees and poultry management. At that hour he would not discuss the question of bees. He found that the alphabetical index alone to the rules of the Commissioners of Education extended over 40 closely-printed pages. There was a rule as to the management of infants. What had Her Majesty to do with infants? The House had heard of the famous breach of promise of marriage case in which the counsel had only one letter to rely upon, and that letter contained the words "chops and tomato sauce." The present case was stranger still. Amongst the rules mentioned in the index were rules respecting optional subjects for town schools, optional subjects for girls, average attendances, applications for aid to establish National schools, result fees, lunatic asylums, and so on, for over 40 pages. Some of the rules even extended to the question of Biblical education, including, he presumed, the antecedents of the famous Herod. On the whole, it appeared to him that the Unionist Party, in passing over their Amendments in order to reach that of the hon. Baronet, had not done themselves justice. They had been gagged, forsooth, and yet they passed over Amendments such as that of the noble Lord (the Marquess of Carmarthen), whose abilities in blocking Bills they were all happy to recognise, and such as that placed on the Paper by the hon. Member for the St. Stephen's Green Division (Mr. W. Kenny). He could only express his regret that the Debate should have come to a conclusion in a bog, so to speak. He deplored the fact that this wholly unimportant Amendment should have been used to occupy the time of the House. One word as to the merits of the Amendment. The right hon. Member for Birmingham said that while the rules generally might be passed over that

dealing with religious instruction was upon quite a different basis. Everybody remembered that early in the Session the noble Lord the Member for North Tyrone (Lord F. Hamilton) brought in a Bill to deal with the subject. That Bill having been rejected with the aid of the noble Lord the Member for Paddington (Lord R. Churchill) it was now proposed, by a side wind on the Home Rule Bill, to effect the same object. And this was the gagged Party who, having passed over important Amendments, wasted the time of the House over the question of bee and poultry keeping. He regarded the Amendment as a slur on the Commissioners of National Education. Was it likely that Lord Monck, who was one of the framers of these rules, would needlessly alter them? Was it likely that Lord Morris would prejudice the Protestants of Ireland by making an invidious alteration in the rules? Could any fault be found with Sir Patrick Keenan? Then there was the Right Hon. W. F. Cogan. What was the matter with the Right Hon. W. F. Cogan?

Mr. W. Johnston rose in his place, and claimed to move, "That the Question be now put"; but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

MR. T. M. HEALY (continuing) said, it was an extraordinary thing that a gentleman who complained of the gag attempted to closure him. Then he took the case of the Rev. J. Stubbs of Trinity College. This was a typical case. [*Cries of "Divide!"*] The Rev. J. Stubbs was a gentleman of learning and distinction, and he hoped some Member for Trinity College would rise to defend him. [*Renewed cries of "Divide!"*] As the name of Mr. Stubbs was so offensive to the Tory Party he would take the case of Judge Shaw.

It being Eleven of the clock, Mr. Speaker, in pursuance of the Order of the House of the 21st August, interrupted the Debate, and put forthwith the Question on the Amendment:—

Question put, "That those words be there inserted."

The House divided:—Ayes 191; Noes 227.—(Division List, No. 282.)

Whereupon, in pursuance of the said Order, Mr. Speaker proceeded succes-

*Mr. T. M. Healy*

sively to put forthwith the Questions on the several Government Amendments of which Notice had been given.

Several of the said Amendments were agreed to.

Another Amendment proposed,

In page 12, line 39, after the word "Act," to insert the words "shall be appointed by the Lord Lieutenant, and."—(*Mr. J. Morley.*)

Question put, "That those words be there inserted."

The House divided:—Ayes 228; Noes 190.—(Division List, No. 283.)

Another Amendment proposed,

In page 13, line 23, after the words "thinks fit," to insert the words "after considering any representation that may be made by the Irish Government."—(*Mr. J. Morley.*)

Question put, "That those words be there inserted."

The House divided:—Ayes 228; Noes 190.—(Division List, No. 284.)

Other of the said Amendments were agreed to.

Motion made, "That the Bill be read a third time upon Wednesday next."—(*Mr. J. Morley.*)

Whereupon, in pursuance of the said Order, Mr. Speaker put the Question thereon forthwith.

Question agreed to.

Ordered, That the Bill be read the third time upon Wednesday next, and be printed. [Bill 448.]

#### ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

MR. SEXTON asked the Chief Secretary whether the Expiring Laws Continuance Bill would contain the Bill extending the time in which leaseholders in Ireland might apply as to the fixing of fair rents?

MR. J. MORLEY: I was in error in what I said earlier in the day about this Bill. That Bill will be included in the Expiring Laws Continuance Bill.

MR. BARTLEY (Islington, N.) hoped that sufficient time would be given for the discussion of the Expiring Laws Continuance Bill, as it would contain a large number of most important measures.

Motion agreed to.

House adjourned at a quarter before Twelve o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 28th August 1893.*

TOOK THE OATH.

The Lord Byron.

## ELEMENTARY EDUCATION (SCHOOL ATTENDANCE) BILL.—(No. 255.)

## SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): My Lords, this Bill is not very extensive in its nature, but it touches a point which is not without importance. The object of it is that all children should be required to remain in the elementary schools until they are 11 years old. At present the position of the matter is somewhat complicated. Children cannot be employed in factories until they are 11 years of age; but children who are to follow other employments may obtain release from attendance at school a year earlier. The period of attendance and the requirement of a certificate of discharge from attendance are regulated by bye-laws of very varying terms. By some the Standard required to be attained is as low as the Third Standard; but in most cases it is a higher Standard. But a scholar of 10 who has passed the Third Standard cannot, on that account, be released from attendance. There are two good reasons for making the alteration proposed by the Bill. One is that it is highly desirable that the rule as to the age at which children should be employed should be uniform, and ought to be fixed in all cases. The other is that the age of 10 is too early for children to leave school, and that they ought to be kept at school a year longer. Even though scholars may not pass in a higher Standard by remaining at school, it is obvious that another year's schooling would be of great advantage to them. As originally framed, the Bill applied only to complete exemption from school attendance; but as it comes up to this House it has been amended so as to apply

also to cases of partial exemption or half-timers. I mention that, because the Bill has been understood outside as applying to total exemption. The Bill now applies to certificates of both entire and partial exemption. I think it makes a satisfactory change in the law, and I hope the Bill will meet with your Lordships' approval, and that you will give it a Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord President.*)

\*LORD SANDFORD said, the Bill was a step in the right direction. He was only sorry and somewhat surprised that in the present state of enthusiasm for education at the Council Office the Lord President, having before him the Report of the late Departmental Committee upon the various changes required in the conditions of school attendance, had not gone a good deal further. Both the majority and minority upon the Royal Commission advised that 11 should be the minimum age at which children should get partial, and 13 total relief. The difference between healthy and unhealthy employments ought properly to be regarded in determining the age at which children should be released from school attendance—healthier employments entitling them to earlier release. Because children under 11 were prevented from being employed in factories, workshops, and mines, he did not see any reason why they should be debarred from field employment. He referred to that point, which in the Memorandum prefixed to the Bill was made the chief ground of its introduction, in order that the change made by this Bill on other than educational grounds might not hereafter be pleaded as a reason for further limiting the age and labour in rural districts. There was no doubt that the conditions of labour in this and other countries were being largely modified, and the adoption of a higher age than 11 for factory work ought not to shut out a variation in favour of healthy employments. If in this country, as in Germany and France, children were to be kept out of factories up to 13, he did not want this Bill to be quoted hereafter as a precedent that they must therefore be kept till that age out of healthy employment in the fields. That was the only criticism he wished to make on the Bill. With regard

to total exemption the Bill was rather half-hearted. It would affect about 10,000 children directly, in districts where compulsion ended at 10, and indirectly about the same number, who reached the Fourth Standard before the age of 10. It was a good principle laid down in the Bill that children should not be released from school too early, but should stay on to enable them to complete their Fifth Standard. The Fourth Standard was too low to justify the entire release of children from day school instruction. He had had some doubt whether partial employment in agriculture should not be allowed at the age of 10; but it was removed when, having communicated with high authorities on educational matters in the rural districts, he found that neither employers nor parents objected to fixing the higher age of 11. He hoped the time would soon come when the whole situation might be reviewed in connection with the introduction of secondary education, and then he trusted they would be able to get rid of all bye-laws, and to adopt the Third and Fifth Standards, which prevailed in Scotland, as the uniform conditions of partial and total exemption.

**LORD KNUTSFORD:** My Lords, I must express my hearty concurrence in this Bill as an important step in the direction in which I have always wished to see elementary education carried out. When I had the honour to be Vice President I desired to take a step in this direction; but the opposition I met with was too great for me. I am heartily glad to find that opposition is now diminished. I hope the Government will pay attention to the observations of my noble Friend, and I imagine they will be as glad as he to see the Third and Fifth Standards adopted.

**THE EARL OF KIMBERLEY:** I may have been misunderstood by the noble Lord. He seems to think I lay too much stress upon the uniformity which this Bill would maintain between children employed in factories and elsewhere. I think that is an advantage; but I wish to guard myself against being supposed to hold as a principle, any more than the noble Lord, that the age at which children can be employed in healthy occupations can be determined by uniform rule. It is quite obvious that the question of the education and employ-

ment of children in different trades, in reference to which considerations of health arise, must be based upon different principles. I merely wish to guard myself by making that observation, and I am glad that noble Lords opposite approve of the Bill.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday next.

#### CHAIRMAN OF COMMITTEES.

Moved, "That the Lord Playfair do take the Chair in Committee of the Whole House this day in the absence of the Earl of Morley."—(The Lord President, [*E. Kimberley*]); agreed to.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 254.)

House in Committee (according to Order).

**LORD RIBBLESDALE** said, he had some Amendments to this Bill which would be moved in Standing Committee.

Bill reported, without Amendment; and re-committed to the Standing Committee.

#### EDUCATION DEPARTMENT REQUIREMENTS.

##### QUESTION. OBSERVATIONS.

\***LORD STANLEY OF ALDERLEY** asked the Lord President how he justified the action of the Education Office with regard to the British and Foreign School at Holyhead, and the schools at Tilston and Clutton in Cheshire? Before addressing himself to the question of which he had given notice, he desired to remove a misunderstanding on the part of the noble Earl the Lord President as to what took place on the last occasion when he put a question to his noble Friend, who was reported to have said that he (Lord Stanley of Alderley) had compared him to a chimney sweep. No wonder he had been unable to understand that, for there would have been no point in it. Having known the noble Earl for 51 years, it was impossible he could have used towards him an expression implying a person without education. Perhaps his noble Friend had done him an injustice of another kind, feigning to misunderstand him, as a rhetorical artifice. What he said was that a Tory editor had ex-



pressed to him the hope that the noble Earl would remain in his place for fear of a less good man occupying it; and he himself added that he would have preferred to have one of Mr. Frederic Harrison's chimney sweeps in the noble Earl's place, because he would not then have been able to shelter the Vice President. Perhaps the noble Earl had not time to read the magazines, or he would have known that Mr. Frederic Harrison had suggested that the Prime Minister might swamp that House by sending up 100 chimney sweeps, but that these would soon lose their political principles, and would require to be reinforced by another 100. He hoped he had satisfied the noble Earl, whom he had no wish in the least to offend. Coming to the question on the Notice Paper, he would ask the noble Earl for an impartial hearing. The school at Tilston was built much larger than was required for school purposes, in order that it might serve for village meetings; it was put down in the books as capable of containing 142 children, and the attendance was only 60 odd children, including three or four under three years old. The last Report of the Inspector was very favourable: the master was good, and came from a Board school at Clapham; for four months the managers were unable to get a schoolmistress, but her place was filled during that time by two young women of 18. The managers had some difficulty in meeting the expenses; but notwithstanding that, and that the size of the school was so far in excess of the places occupied, the Education Office was demanding structural alterations that were not required. They exacted cloak rooms, although the pegs for cloaks at one end of the school were seven feet from the nearest benches, and 24 feet from the nearest benches in use at the other end. The Department also required ventilators to be placed in the roof, although there were two circular windows in the gables at each end near the roof, and five large panes which opened in the large windows. He had seen all the maps fluttering on the walls, so that no complaint could be made of want of air. These alterations, he was told, would cost £50. Formerly the Education Department supplied plans for schools, as he knew, for he obtained them when he had occasion to build a

new school, and no one would complain if the Department issued new plans every year for use when required for new schools; but it was unreasonable when much expense had been incurred to call upon schools to change square for round, and to call for ventilators in a roof like those of a cow-house where there were circular windows for the same purpose. He had seen a school about four miles North of Chester with a kitchener for warming the children's dinners; it might be expected that the Department would immediately require kitcheners to be placed in every school, or that it might order them to be removed from objections to the savoury smell of the dishes distracting the attention of the children. As to Clutton School, he had not seen the official letter stating the demands of the Department, neither could he ascertain them when he called there last Thursday; but he had been told that the Department asked for cloak-rooms, porches, and thicker walls. The landowner concerned with this school, and whose estate paid £14 a year to it, said that this sum and the grants never cleared the expenses; but he complained principally of the bullying ways of the Department. These two schools in Cheshire were voluntary schools, with Church teaching, which accounted for these tyrannical and peremptory requirements; but there was no accounting for the threats of suppression launched by the Department against the British and Foreign School at Holyhead, since its religious teaching was entirely denominational, or of that invertebrate Board school kind, that no persons who cared for religious instruction would give anything to uphold that school. The grievance was, therefore, entirely financial. The Department insisted on structural alterations which would cost £200 or £300, which there was no probability or possibility of obtaining. In that case what was the Department going to do? Would it order the School Board to acquire a new site and to build a new school at the expense of the ratepayers of Holyhead, who were poor enough already, and was the existing school to be made derelict at the caprice of the Department and the consulting architect? This architect wanted more windows in the gables, and most likely did not know that Holyhead was said at the

Meteorological Department to be the place where the winds were most violent in the Kingdom. The walls and roof of this school looked new, though it was built in 1848, at a cost of £567, to hold 350 children. In 1858 a new class-room was added at a cost of £292. In 1878 the premises were re-arranged at a cost of £174—all voluntary subscriptions; and this year the school had been put in proper repair at a cost of £50. The friend of the Vice President, Mr. Lyulph Stanley, had visited this school last year, and said that with some repairs the building was good. He had offered the only piece of ground he possessed adjoining this school for an infant's class-room; but it did not satisfy the Department; and the other adjoining land belonged to Jesus College, Oxford, which did not wish to sell it. But what necessity was there for enlarging this school? There were vacant places in the National school and in the Board schools; and if there were not, the simplest course would be to build a new school in some other part of the town. But the Board schools could hold more, and the National schools were by no means full, and the mountain-side Board school was comparatively empty, owing to an inefficient teacher. The consequence was that the mountain children crowded up the British and Foreign and other Board schools in the town. This would not happen if the mountain school were efficient as it used to be. No doubt the British and Foreign School was too full; but no one looking at the town, and knowing the present supply of accommodation, could fail to think it sufficient if fairly distributed. When the Department dictated such lavish expenditure by people who were severely taxed by the so-called "free education," it was no wonder that such official tyranny should arouse feelings of execration, perhaps soon to burst out into imprecation against the Vice President, and which might reach the Lord President when people got to know that he not only left him a free hand, but also supported him. He had heard persons casting about for the motives which could possibly influence the Vice President in making these exactions against other than Church schools, and suspecting that the influence was that of some Builders' Union or the good of the

building trade. This, of course, was idle nonsense; but he wished it were so, as that would be a more human motive, and, on the whole, less exasperating, than this purposeless tyranny. He had recently heard that the Vice President had not spared Wesleyan and Baptist schools. He certainly appeared to have inscribed over the portals of his office *Christianos ad leones*, which, in modern English, meant "Christians must go to the dogs." There were others who explained his action by the doctrine first brought to Europe by Pythagoras, and who conceived that his soul once animated one of the lions that devoured the early Christians in the Roman amphitheatre, and then passed into the Emperor Julian. When M. Louis Veuillot, the editor of *L'Univers*, was alive, he wrote with so much vigour against the ideas which now reigned in the Education Department, that one of his readers said that if the early Christians resembled M. Veuillot, then he pitied the lions. It was time that we had in this country a writer of similar energy to restrain the Education Department. Earlier in the Session he had called the attention of the Lord President to the number of suicides. He did not mean to press the great increase of suicides, since much of that might be due to physical causes, such as the great heat; but he asked if the noble Earl had noted the letter of Ernest Clark, and other foolish and wicked incitements to suicides, in the columns of *The Daily Chronicle*, one of the chief supporters of the Government, which *The Spectator* called "Toying with Suicide," and he asked if the noble Earl felt no responsibility for the future increase of those crimes, which must inevitably follow from the irreligious education which the Vice President was endeavouring to force upon and spread over the country?

THE EARL OF KIMBERLEY: I must first beg my noble Friend to accept my most humble apology for not having understood his rhetorical figure; and, therefore, I at once disclaim what I may have said with regard to the "chimney sweep." I may say that I did read the article of Mr. Frederic Harrison, and, therefore, I ought to have understood my noble Friend's reference; but the fact is that he introduces so many tropes, rhetorical figures, and even denunciations of everybody, that it is sometimes rather difficult

*Lord Stanley of Alderley*

to follow him. He has called me, for instance, to-night a tyrant ; but the next time we meet he will, no doubt, tell me that he has known me for 51 years ; that it is impossible he could intend to impute that to me ; and that he hopes I will not take offence. Well, I have known my noble Friend for 51 years, and I will only say that I do not think there is anything he could say of me at which I could take any offence whatever. The truth is that my noble Friend has Vice President on the brain. He attributes to everything my right hon. Friend does a diabolical ingenuity, the last proof of which is that since the Vice President came into Office my noble Friend finds that there has been an increase of suicide. When I hear it stated that I have a Colleague whose policy is so disastrous as to lead to an increase of suicide, I ask myself naturally what can it all mean ; and I think I have found an answer in the fact that my noble Friend is under the persuasion that anyone who promotes education in any school which is not a voluntary school is an enemy to all religion. That is a most strange doctrine, and one to which, for my own part, I cannot subscribe. But my noble Friend has answered himself to some extent, because he said that Mr. Acland did not confine his attention only to Church schools, but extended it to British and foreign and other schools also. I can assure my noble Friend that the intention of the Department is to apply the Rules which they think necessary for the promotion of education with perfect impartiality to all schools, whether Church or voluntary, whether connected with the Church of England, or the Wesleyans, or any other denomination. The duty of the Department is simply to administer the law fairly and reasonably in the interests of all parties. I will now come to the matters to which my noble Friend has specially called my attention. With regard to the school at Holyhead, the Inspector reported that the school wanted improvements. My noble Friend asked what would happen if the improvements are not made. If it should turn out on examination that the improvements are absolutely necessary, and are not made, my noble Friend knows very well what will follow. With regard to the school at Tilston, the Inspectors have reported that the accommodation is not sufficient,

and one of the requirements is a proper cloak-room. Up to the present the Department has not received any answer from the Managers. If the Managers will write to the Department stating their views their explanation will be fully considered. With regard to Clutton, a cloak-room, among other things, is wanted, and I am told that the walls are only 9 inches thick. Anybody who knows anything about building must be aware that a wall only 9 inches thick is very unsatisfactory. A wall properly constructed should be 14 inches thick. The Department has called upon the Managers to make the walls somewhat thicker ; but it is not intended to impose any disability upon them because of the thinness of the walls. I am perfectly well aware that Inspectors are not always in favour with the Managers of schools ; but the Department must trust the Inspectors they employ. No doubt it is annoying to find, after what is called for has been done, that an Inspector points out something else which requires to be remedied. When people are called upon by the Inspectors to bring schools up to a proper standard a certain amount of dissatisfaction must be expected. All I can say is that I will give my most vigorous support to the Vice President in his efforts to bring the schools up to their proper requirements ; at the same time, I have spoken to my right hon. Friend on the subject, and he desires as much as myself that these things should be done in a fair and reasonable spirit. Each case must be judged by itself. I do not think the cases brought forward by my noble Friend show any violent or tyrannical action on the part of the Department ; but I can assure him that, whether we be called tyrants or not, in the interests of the children to be educated we are resolved to see that the requirements of the law are fully and entirely carried out.

LORD STANLEY OF ALDERLEY said, he was glad to hear from the noble Earl that the representations of the Managers would be considered, because the Inspectors were not wholly to be relied upon. He had heard great complaints of them from different parts of the country. He did not say that the noble Earl was a tyrant, but that the Department was tyrannical. What was complained of was that the

noble Earl did not look into these cases himself. The law was laid down by the Education Act of 1870; but the Department seemed now to assume to make Codes for itself, which were imperfectly discussed in Parliament. They had no right to force children of three years into the schools in order to save their mothers the trouble of taking care of them. As to the thickness of walls, Lord Harrowby referred to that in the Notice he had put on the Paper for the consideration of their Lordships.

IRISH EDUCATION ACT, 1892, AMENDMENT (No. 2) BILL.—(No. 220.)

Read 3<sup>a</sup> (according to Order), and passed.

• INDUSTRIAL AND PROVIDENT SOCIETIES BILL —(No. 225.)

Read 3<sup>a</sup> (according to Order), and passed.

PUBLIC WORKS LOANS (No. 2) BILL.

Read 3<sup>a</sup> (according to Order), and passed.

ISLE OF MAN (CHURCH BUILDING ACTS) BILL. [H.L.].—(No. 143.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

SHERIFF COURTS CONSIGNATIONS (SCOTLAND) BILL.

Brought from the Commons; read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> To-morrow.—(*The Lord Playfair.*) (No. 259.)

BUSINESS OF THE HOUSE.

THE EARL OF KIMBERLEY moved that the House should adjourn till a quarter past Four o'clock To-morrow instead of half-past Five, it having been represented that that would be a more convenient hour, Standing Committee to meet at half-past Three.

Motion agreed to.

Ordered, That the Evening Sitting of the House To-morrow do commence at a quarter past Four o'clock.

House adjourned at ten minutes past Five o'clock, till To-morrow, a quarter past Four o'clock.

*Lord Stanley of Alderley*

HOUSE OF COMMONS,

*Monday, 28th August 1893.*

QUESTIONS.

MALLWYD CHURCH OF ENGLAND SCHOOLS.

MR. GRIFFITH-BOSCAWEN (Kent, Tunbridge): I beg to ask the Vice President of the Committee of Council on Education whether he has received a representation from the Vicar and Churchwardens of Mallwyd, as Managers of the Mallwyd Church of England Schools, in the County of Merioneth, claiming that at the renewal of the agreement with the School Board they should be recognised as the only legal Managers of the school; and, if he has, what reply he has given to the representation?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The Rector of Mallwyd was informed by the Department on 9th June last that the arrangement for transfer of the school which had been approved by the Department was made in pursuance of a resolution duly passed by the Managers of the school as defined by Section 3 of the Education Act of 1870. A letter was subsequently received from the Rector and Churchwardens protesting against the recognition of any persons other than themselves as Managers, to which in view of the previous correspondence, which went fully into the matter, no further reply was considered necessary. I may add that the Department is not empowered to decide who are the legal Managers of any school.

UPPER BAGGOT STREET POST OFFICE, DUBLIN.

MR. W. KENNY (Dublin, St. Stephen's Green): I beg to ask the Postmaster General if he is aware that the post office in Upper Baggot Street, Dublin, is not a telegraph office; that Upper Baggot Street is the centre of a most populous and flourishing district in the suburbs of Dublin, and that there is



no telegraph office nearer than that at Ball's Bridge, at the extremity of the district, and that at Lower Baggot, in the city; and whether, in view of the great inconvenience which the traders and other inhabitants of the locality suffer by reason of such want of telegraphic accommodation, he will consider the propriety of establishing a telegraph office in Upper Baggot Street?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): The district to which the hon. Member refers appears to be fairly well served with telegraph facilities; and I do not think that the expense of establishing an additional office would be justified.

#### POST OFFICE OFFICIALS AND PARLIAMENT.

**MR. MACDONALD** (Tower Hamlets, Bow): In the absence of the hon. Member for North Hackney, I beg to ask the Postmaster General whether there is any, and, if so, what, Departmental Rule which forbids Post Office *employés* to approach the House of Commons directly, or to sign a Petition to the House, with reference to any grievance, after having unsuccessfully petitioned the Postmaster General in reference thereto?

**MR. A. MORLEY**: There is no such Rule.

#### THE GENERAL SIGNAL BOOK.

**MR. MACDONALD**: In the absence of the hon. Member for North Hackney, I beg to ask the Secretary to the Admiralty whether there has been any revision of the Regulations in the General Signal Book, with reference to speed signals, since the *Howe* Court Martial?

**\*THE SECRETARY TO THE ADMIRALTY** (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): Certain points relating to signals, including the subject of the hon. and learned Gentleman's question, are now under consideration at the Admiralty.

#### THE CASE OF MR. SAMPSON, OF THE SLIGO POST OFFICE.

**MR. COLLERY** (Sligo, N.): I beg to ask the Postmaster General whether any complaint was made to the Post Office Authorities at Dublin or Sligo of the conduct of Mr. Sampson, an official in the Sligo Post Office; if so, what was the nature of the complaint, and by

whom made; and whether any investigation was held; and, if so, what was the result?

**MR. A. MORLEY**: The complaint made to the Postmaster of Sligo related to the alleged action by Mr. Sampson in attempting to proselytise a servant girl who is not in the service of the Department. I would refer the hon. Member to a reply I gave to him on July 24.

#### THE EVICTION OF JOHN MACKAY, NEWRATH.

**MR. CLANCY** (Dublin Co., N.): In the absence of the hon. Member for the St. Patrick's Division of Dublin, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of Mr. John Mackay, of Newrath, Waterford, who was evicted from his holding on Saturday, 12th August; and whether he is aware that Mr. Mackay applied to have a fair rent fixed, but that the application was refused on the ground that the lease under which he held was made by the present landlord's father in excess of his powers; that the landlord thereupon served a writ of ejectment, and proceeded to eviction, although Mr. Mackay and his ancestors had occupied the holding for generations, and had executed all the improvements upon it; and that all his interest and improvements have been confiscated on the technical ground mentioned; and, if so, whether the Government intend to propose an amendment to the law to prevent the recurrence of such cases?

**MR. P. J. POWER** (Waterford, E.): At the same time, may I ask the right hon. Gentleman whether his attention has been drawn to the case of Mr. John Mackay, as reported in *The Waterford Star*, and copied into the daily paper, who was recently evicted from his holding at Newrath near Waterford; whether he is aware that Mr. Mackay, during the lifetime of the late landlord, served an originating notice to have a fair rent fixed, but before it came on for hearing the landlord died, and his son, Mr. John H. Jones, the present landlord, came into possession; that, on the ground that his father was only life owner of the lands by a deed executed at his marriage, which provided that his tenancy in the lands ceased at his death, it was argued that the tenant's tenancy

terminated at the same time ; and that the landlord's contention has been upheld by the Land Sub-Commission and the Chief Land Commission ; and whether, considering the vital interest of the question to large numbers of tenants in Ireland, and that the tenant was refused leave to go to the Court of Appeal, the Government will afford facilities for testing in the superior Courts the ruling of the Land Commission on this important point ?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : The facts are generally as stated in this question, and in the similar question standing in the name of the hon. Member for East Waterford. I am informed by the Land Commission that the legal point involved was decided six years ago by the Court of Appeal in Ireland in the case of "*Massy v. Norse*," and that it has since been followed by the Court of Appeal in other cases. On the 24th March last an application was made on behalf of the tenant to the Court of the Land Commission for liberty to appeal to the Court of Appeal ; but the Land Commission Court, in exercise of its discretion, refused the application on the ground that the only legal question raised had already been decided by the Court of Appeal.

MR. CLANCY : Will the right hon. Gentleman consider the propriety of making a change in the law ?

MR. J. MORLEY : It seems to me that the consequences of this decision defeat the intention of the Parliament which passed the Act of 1881. This is not the moment to say whether the time has arrived for a change in the law ; but I am quite sure this was not the kind of thing intended by Parliament.

MR. T. M. HEALY (Louth, N.) : Is the right hon. Gentleman aware that this decision affects at least 100,000 tenants in Ireland ?

MR. J. MORLEY : I do not know how many it affects.

#### PUBLIC IMPROVEMENTS AT BANGOR, COUNTY DOWN.

MR. M'CARTAN (Down, S.) : I beg to ask the Secretary to the Treasury whether he can now state what is the amount of loan which has been applied for by Mr. R. E. Ward, for making har-

*Mr. P. J. Power*

bour works and other improvements in Bangor, County Down ; what is the date of the first application made in respect of this loan ; whether Mr. Ward has offered, in addition to the usual mortgage of the harbour dues, security by way of first charge on property at least three times in value the amount of the loan ; and whether he will see that no technical difficulty as to title will further delay the advance of the loan for making these urgently needed improvements ?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : The application was first received through the Board of Trade in August, 1892, but was refused on the ground of insufficient security. Correspondence as to collateral security followed, and the security of certain estates was offered by Mr. Ward in addition to that of the harbour dues. The Public Works Loan Board have been since the 18th May in correspondence with Mr. Ward's solicitors as to his title. There is no technical difficulty so far as the Board are aware, and any delay that has occurred has been on the side of Mr. Ward, who has only to supply the information asked for.

#### THE BUNDORAN MAILS.

MR. DANE (Fermanagh, N.) : I beg to ask the Postmaster General whether the contract for the carriage of mails by the post car between Bundoran Junction and Bundoran has expired by reason of the death of the contractor ; and, if so, will he give directions that tenders be invited for such mail service for a specified period, so as to insure due economy coupled with punctuality ?

MR. A. MORLEY : The contract referred to has expired, and in making any new arrangements I shall not fail to pay due regard to economy and punctuality.

#### SAMOA.

MR. HOGAN (Tipperary, Mid.) : I beg to ask the Under Secretary of State for Foreign Affairs whether, as stated in *The Times* report of the recent hostilities in Samoa, whereas two German men-of-war were in port at the time, no British man-of-war was present, if required, for the protection of British interests ; and having regard to the fact that a conflict between the forces of Malietoa and Mataafa had been impend-

ing for some time, why a British man-of-war was not present in the harbour of Apia?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): As I informed the hon. Member on July 27, the three Treaty Powers did decide to send ships of war to Samoa with the object of putting an end to political disturbance. H.M.S. *Katoomba* arrived at Apia on July 16, and found that an engagement had taken place between the forces of Malietoa and those of Mataafa some eight days previously, which had ended in the defeat of the latter and his retreat to the Island of Manono. The combined English and German Squadron at once proceeded to the scene of action. Mataafa and his adherents surrendered, and the war was terminated without a shot being fired by the ships.

#### FORT GEORGE WATER SUPPLY.

MR. W. WHITELOW (Perth): I beg to ask the Secretary of State for War whether there is any intention of sending a regiment to Fort George; if so, has the difficulty with regard to the water supply been overcome?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The proposal to send a battalion to Fort George has had to be abandoned for the present, owing to the unsatisfactory state of the water supply at that station. A scheme for improving the water supply is now under consideration.

#### H.M.S. "MAJESTIC."

SIR E. HARLAND (Belfast, N.): I beg to ask the Secretary to the Admiralty, in the *Majestic*, how many days' coal will the bunkers (proper) contain for steaming at full speed; and when so coaled, and otherwise equipped for sea, what will be her greatest draught of water?

\*SIR U. KAY-SHUTTLEWORTH: (1) For continuous steaming over long periods at sea, at least 6,000 horse power should be developed, corresponding to a speed of about  $14\frac{1}{2}$  knots. The bunkers proper would hold coal for about 11 days' steaming. (2) The answer to the second paragraph is, 29 feet 3 inches.

\*SIR E. HARLAND: Is  $14\frac{1}{2}$  knots the full speed?  $17\frac{1}{2}$  knots has been mentioned.

SIR U. KAY-SHUTTLEWORTH: I have given the figures as  $14\frac{1}{2}$  knots; but there is no doubt a higher speed will be obtained.

MR. FORWOOD (Lancashire, Ormskirk): Does that consumption include expenditure for auxiliary engines, such as those for electric lighting, which require a large quantity of fuel?

SIR U. KAY-SHUTTLEWORTH: I have no doubt that that has been taken into account.

\*MR. GIBSON BOWLES (Lynn Regis): Are we to understand that the right hon. Gentleman, with the Admiralty at his back, cannot tell us how many days' coal the vessel steaming at full speed will carry?

\*SIR U. KAY-SHUTTLEWORTH: In the terror of all the hon. Member's Amendments to Supply this has been a busy morning, and I am afraid I omitted to notice that the hon. Baronet had put down the words "at full speed" in his question. I apologise for the omission.

#### THE CORDITE DISPUTE.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether his attention has been called to a Memorandum, stated to have been addressed to the Director of Artillery on 20th August, 1888, and published by request in *The Times* of 24th August last; whether it was so published at the request of the War Office; whether, if so, the War Office will publish the reply made to it by the Director of Artillery; whether it was signed by all the members of the Committee when it was first brought to the knowledge of the Secretary of State for War; whether the Regulations suggested in paragraph 13 were afterwards determined upon; and, if so, were they, or the purport of them, disclosed to the private inventors submitting their explosives for examination, and will he lay them upon the Table; and what was the date of the half-yearly Report in which the Memorandum is said to have been included?

\*MR. CAMPBELL-BANNERMAN: Yes, Sir; my attention has been called to the Memorandum published in *The Times* of August 24 last. This Memorandum was not published at the request

of the War Office. Sir F. Abel wrote to me asking whether I had any objection to his sending it to the Press, and I replied that I had none. No official reply has been recorded. The Memorandum was signed, as is customary, by Sir F. Abel, as President, Explosives Committee, and not by the members of that Committee. With regard to paragraph 13, new Regulations have not yet been finally determined on, although the matter has been under the consideration of various Departments of the Government for some time. The Memorandum was included in the half-yearly Report dated December 31, 1888.

MR. HANBURY: Do I understand that no official or semi-official reply was given by the Director of Artillery to whom the communication was made?

\*MR. CAMPBELL-BANNERMAN: No official written reply appears to have been made. What happened was this. The Memorandum was received; a great many Minutes were written upon it, and questions were started upon those Minutes which appear to have diverted the attention of the officials of the Department from the Memorandum itself. I can trace no official reply.

MR. HANBURY: Is it a fact that no official sanction was given to the view enunciated in the Memorandum?

\*MR. CAMPBELL-BANNERMAN: No official reply having been sent, no written or official approval or disapproval of the Memorandum was given. What may have been communicated verbally I cannot, of course, say.

#### THE BENGAZI SLAVE TRADE.

MR. SNAPE (Lancashire, S.E., Heywood): I beg to ask the Under Secretary of State for Foreign Affairs whether the 13 slaves stated, in the Paper presented to the House relating to the Slave Trade in Bengazi (Africa, No. 7, 1893), to have been clandestinely placed upon the Ottoman steamer *Bahu Jedid*, were released by Consul General Holmwood during the detention of that steamer at Clazomenæ; whether he is aware that the Slave Trade is being diverted from Zanzibar to Bengazi, and that great cruelty and loss of life occurs in bringing slaves to the latter port from Wadai and other places in the interior; and whether the export of slaves by Ottoman steamers is a violation of the Treaty engagements

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of the Ottoman Empire; and, if so, whether he will require those engagements to be rigidly enforced at Bengazi as well as elsewhere? At the same time, I will ask the hon. Baronet whether he will lay upon the Table of the House the Reports on the Slave Trade in Tripoli received from the British Consul at Bengazi in 1887, 1890, 1891, and 1892?

\*SIR E. GREY: Her Majesty's Consul General at Smyrna made representations to the authorities, and was informed by them that only eight negroes were on board the steamer on its arrival at Smyrna, and that they were all in possession of certificates of manumission. In answer to paragraph 2, I have to say that the information we possess will be found in the Reports which will be laid on the Table. No legitimate opportunity is lost of bringing to the notice of the Ottoman Government any breaches of their regulations and of their engagements prohibiting the export of slaves, of which Her Majesty's Consuls become aware. In regard to the last question, I have to say that these Reports will be laid, except those for 1887, which will be found in Slave Trade, No. 1, of 1888.

MR. SNAPE: The Paper presented to the House spoke of 13 slaves, and the reply to my question only mentions eight slaves. Can the hon. Baronet say what became of the other five?

\*SIR E. GREY: We telegraphed for information in connection with the hon. Member's question, and the reply only mentions eight slaves as having been found on board. We must await the arrival of the Report for fuller information. The difference in number will be inquired into.

#### EXAMINING OFFICERS OF CUSTOMS.

SIR R. TEMPLE (Surrey, Kingston): I beg to ask the Secretary to the Treasury whether, in reference to the two examinations held under the Treasury Minute of 24th March, 1891, for the position of First Class Examining Officers of Customs, he will state what percentage of marks was fixed as the qualifying standard in each examination, and whether this percentage was required on the aggregate of the marks obtained, or for each separate subject; and whether he can supply the House with the number of officers having over



20 years of service who have attained this standard in each examination?

\*SIR J. T. HIBBERT: The details of these examinations having been by the Treasury Minute expressly left to the sole discretion of the Commissioners of Customs, I do not think I could properly add to the replies which I gave on June 20 and July 13 to similar questions. Two officers promoted to the first class on the results of the first examination and one promoted on the results of the second had over 20 years' service.

#### THE PROPOSED NEW BATTLESHIPS— A QUESTION OF NAVAL POLICY.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Treasury whether the Government intend proceeding with the construction of two iron-clads larger than those built under the Naval Defence Act; whether, since the sinking of the *Victoria*, his attention has been called to the criticisms of experts at home and abroad questioning the expediency of building additional ships of this monster class; whether, before committing the nation to the enormous expenditure involved in the construction of such large vessels, he will cause an inquiry to be made into the capability of their lower structure to prevent capsizing in the event of one or more compartments being filled with water; and whether he is aware that the lower structure of these ships with existing top-hamper, when pierced, may, as in the case of the *Victoria*, under steam disturb the centre of gravity and thus cause them to turn turtle?

\*SIR U. KAY-SHUTTLEWORTH: The description presented to Parliament of the two new battleships shows an increase of 10 feet in length and 750 tons in displacement over the *Royal Sovereign* class. The breadth and mean draught are the same. The causes of the increase are described in that Paper. The Admiralty have not failed to consider the criticisms to which the second paragraph of the question refers, but are clearly of opinion that it is necessary to build these two ships of the dimensions already settled in view of the strength of those which, in case of war, they might have to meet. The matters mentioned in Paragraph 3 are necessarily fully dealt with in working out all details of ships of war. The Admiralty

see no reason for any special action in this case. The last paragraph raises questions of opinion on which the Admiralty, if they understand the views stated, are not disposed to concur with my hon. Friend.

#### THE BOYLE NIGHT POSTMAN.

MR. BODKIN (Roscommon, N.): I beg to ask the Postmaster General can he state why Mr. Joseph Kilkenny, night postman in Boyle, has been suspended from the discharge of his duties; is he aware that Mr. Joseph Kilkenny is universally regarded in the town as the most courteous official connected with the Boyle Post Office, and that there is a general belief that he was suspended by the Local Authorities merely because, being a Catholic, he protested against certain proselytism that was being carried on in the office; and will he promptly inquire into the matter, and have this man immediately re-instated in his position if there be no charge against him, or otherwise have a full and public investigation of the entire circumstances of the case?

MR. A. MORLEY: I understand that the suspension of Joseph Kilkenny was not connected with his religious opinions. He was suspended for insubordination in refusing to furnish an explanation when officially required to do so. After an expression of his regret he was allowed to resume duty on the 22nd instant, and the incident may be considered as at an end.

#### APPORTIONMENT OF NAVAL EXPENDITURE.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Secretary to the Admiralty what portion of the probable estimated expenditure for 1892-3, in respect of H.M.S. *Renown*, *Hazard*, and *Hussar*, was actually incurred prior to the commencement of the current financial year; and what portion, if any, of such expenditure was incurred prior to 1st September, 1892?

\*SIR U. KAY-SHUTTLEWORTH: The amounts actually expended in 1892-3 were:—*Renown*, £12,527; *Hazard*, £14,965; and *Hussar*, £8,871. An extremely small fraction of this outlay, in the case of each ship, was incurred before September 1, 1892.

THE CASE OF JAMES BUTLER, OF  
STROKESTOWN.

MR. BODKIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if anything has been done in reference to James Butler, ex-constable, who lost his arm by the accidental discharge of a comrade's rifle, who was, in consequence, dismissed as disabled from the Force, and is now residing, in a condition of absolute destitution, near Strokestown, in compliance with the promise made that his case would be inquired into with the view, if possible, of supplementing his pension?

MR. J. MORLEY: The Irish Government are now in communication with the Treasury on the subject.

THE CASE OF ABRAHAM MITCHELL.

CAPTAIN SINCLAIR (Dumbarton): I beg to ask the Secretary for Scotland whether his attention has been called to the case of Abraham Mitchell, recently a grey cloth Inspector in the employment of Messrs. William Stirling and Sons, and for some years a member of the Cardross School Board, who was sentenced at Dumbarton Sheriff Court on Saturday last, the 19th instant, to 30 days' imprisonment with hard labour for inciting and employing Robert Brown, then a clerk in the employment of Messrs. William Stirling and Sons, to steal a grey cloth standard book; whether it is true, as reported, that previous to his arrest Mitchell was offered freedom from prosecution if he would sign an acknowledgment of having fraudulently obtained the book and an apology for his ungrateful and unworthy conduct; whether it is true, as reported, that the only direct evidence against Mitchell was that of Brown, who admitted that he had taken the book in question and handed it to Mitchell, but added that he had been told that if he did not sign a declaration making the charge against Mitchell he himself would be sent to gaol; whether the witness Craig swore that she had taken a standard book from the works about the time when search was being made for the book alleged to have been stolen, and had afterwards returned it; and whether, in fact, the book alleged to have been stolen was discovered in Messrs. Stirling's works; and whether, in view of the facts of the case, he will consider the propriety of reviewing the sentence?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): I have obtained a Report from the Sheriff who tried the case, and I will answer the questions put by my hon. Friend upon his statement of evidence adduced at the trial. It appears from the Sheriff's Report (1) that it was not proved that Mitchell was offered freedom from prosecution upon the terms suggested; (2) that it is not the case that the only direct evidence was Brown's; and (3) that what the witness Craig said was that one of the workers had given her a standard book for a night to show her friends. The book which Mitchell was charged with having stolen, after being missed from the works, was found in them on the morning before the trial in a condition which showed that it had just been replaced. As the case depends entirely on the credibility of the testimony, I am not able to interfere with the conclusion arrived at by the Judge who saw and heard the witnesses.

\*MR. HOZIER (Lanarkshire, S.): Were not these proceedings instituted by the Procurator Fiscal under instructions from the Crown Office in Edinburgh?

SIR G. TREVELYAN: Yes, Sir.

\*SIR C. CAMERON (Glasgow, College): Has the right hon. Gentleman's attention been drawn to the fact that this Procurator Fiscal is a partner in a legal firm practising in this district, and during the recent election intimately associated with the gentleman who instigated the prosecution; and will he take steps to put an end to the practice of Procurators Fiscal being mixed up in private practice?

SIR G. TREVELYAN: My attention has been called in several quarters to the connection between this Procurator Fiscal and a private firm. I think this is a most glaring instance of a state of things which the Government, by recent appointments in several counties, have succeeded in putting an end to.

\*MR. HOZIER: I want to be perfectly clear on this point. Was the Procurator Fiscal acting on instructions from the Government Authorities in Edinburgh?

SIR G. TREVELYAN: Certainly.

THE BOMBAY RIOTS.

SIR W. WEDDERBURN (Banff): I beg to ask the Under Secretary of State for India whether the Secretary

of State for India will lay upon the Table of the House the Reports received by him from the Government of India with regard to the recent riots at Azamgarh, Balia, Rangoon, Bombay, and other places in India between Hindus and Mussulmans; and whether he will direct the Government of India to appoint a mixed Commission of official and unofficial members to investigate the causes of such riots, and report on the best means to be adopted to remove these causes?

**THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. G. RUSSELL, North Beds.): The only Reports, other than telegrams, as yet received by the India Office, are on the riots in Rangoon. There is no objection to laying them on the Table if moved for. A telegram was received from the Viceroy on the 4th July regarding the Azamgarh riots; and telegrams were received on the 12th, 13th, and 14th instant from the Governor of Bombay regarding the riots in Bombay. These latter were communicated to the newspapers. The Secretary of State has not yet received official Reports on the riots in the North-Western Provinces and Bombay. As my hon. Friend is aware, religious riots are of almost annual recurrence in India; and the Secretary of State does not, as at present advised, think it necessary to direct the Government of India to appoint a Commission, as suggested by my hon. Friend.

#### SECOND CLASS EXAMINING OFFICERS OF CUSTOMS.

**MR. STEWART WALLACE** (Tower Hamlets, Limehouse): I beg to ask the Secretary to the Treasury whether, considering that in the Customs Department second class examining officers are employed in assessing duty on goods which are highest on the tariff—namely, tobacco, cigars, and cigarettes, while officers in the first class of that grade are employed assessing duty on goods which are the lowest on the tariff—namely, wines in bulk at 1s. per gallon; and, in view of the fact that casks of spirits and wines gauged on importation by first class examining officers are checked and regauged, in case of error, prior to their delivery to the merchant by second class examining officers, usually selected for this work on account of their age and experience, he will consider the possibility of allowing these officers to be promoted to the first class?

**SIR J. T. HIBBERT:** The rate of duty chargeable on any article is not a measure of the intelligence and experience required for, or of the difficulty involved in, the assessment. Weighing tobacco is a simple, and, to a great extent, mechanical, duty, whereas the work of correctly ascertaining the holding capacity of casks on importation, which forms part of the work of import gauging, requires considerable technical knowledge and experience. The duty of checking the contents of a cask ascertained by the first class examining officer falls properly upon the surveyor at the time of importation, and not on the examining officer who may examine the cask prior to delivery for duty.

#### MEDICAL RELIEF IN EAST LONDON.

**MR. WOOTTON ISAACSON** (Tower Hamlets, Stepney): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of Samuel Ely Hobbs, a dock labourer, lately residing at Love Lane, Ratcliff, who died at the Bromley and Stepney Sick Asylum of inflammation of the lungs, accelerated by destitution and privation; whether he is aware that there is only one doctor to the Union, which contains the parishes of Limehouse, Stepney, and Ratcliffe, and that the wife of the deceased was two days before she could obtain the medicine prescribed by the parish doctor; and whether immediate steps will be taken to remedy the present system?

**THE SECRETARY TO THE LOCAL GOVERNMENT BOARD** (Sir W. FOSTER, Derby, Ilkeston): My attention has been called to the Report of the inquest in the case referred to. The Local Government Board have applied to the Coroner for a copy of the depositions, and they are at present in communication with the Guardians of the Stepney Union with regard to the case.

#### THE SCOTCH SUSPENSORY BILL.

**MR. HOZIER:** I beg to ask the Secretary for Scotland when the Government intend to introduce the Suspensory Bill for the Church of Scotland?

**SIR G. TREVELYAN:** The Government do not propose to proceed with it.

\***MR. HOZIER:** But is not this Suspensory Bill one of the measures

to which, to use the words of the Prime Minister himself, the Government are "pledged in the solemn form provided by the Queen's Speech at the beginning of the Session"?

SIR G. TREVELYAN: The hon. Member can draw his own conclusion from my words.

\*MR. HOZIER: May I ask the First Lord of the Treasury when the Government intend to introduce the Suspensory Bill for the Church of Scotland?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): We have taken note of the Bill which has been introduced by my hon. Friend the Member for the College Division of Glasgow. The Government are inclined to view the Bill with favour, and, considering the circumstances, we have no intention of proceeding with the Suspensory Bill of which notice was given in an earlier part of the year.

MR. BARTLEY (Islington, N.): Does the right hon. Gentleman's answer also apply to the Welsh Suspensory Bill?

MR. W. E. GLADSTONE: In the case of the Welsh Suspensory Bill, I have not observed the introduction of any other measure promising a satisfactory settlement of the question. If the hon. Gentleman is prepared to give us such a measure, having a good and fair promise of being a settlement, we shall be prepared to consider it.

#### MASHONALAND.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the First Lord of the Treasury whether Her Majesty's Government have arranged to send a force for the protection of British Colonists in Mashonaland in view of the threatening attitude of the Matabeles?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): The duty of preserving peace and order in the territory under the control of the British South Africa Company attaches to the Company under the Charter; and of this they were more than once informed by the late Secretary of State. Sir H. Loch informs the Secretary of State that Mr. Rhodes, Managing Director, says that the Company "ask for nothing and want nothing," and Her Majesty's Government have no reason to believe

that the Company is not in a position to fulfil their responsibilities. Her Majesty's Government have strongly deprecated any aggressive movement on the part of the Company, and Sir H. Loch has informed them that no offensive movement is to be made without his authority, and his action has been approved by Her Majesty's Government. I may add that, telegraphing on Saturday evening, Sir H. Loch has informed us that there is no confirmation of the newspaper reports of renewed raiding of the Matabele in Mashonaland. He also informs us that he hears that Lobengula is sending Indunas to Palapye; and Sir H. Loch took the opportunity yesterday of sending a message to Lobengula by some Matabele boys who were returning to Buluwayo to the effect that he would be glad to receive the Indunas if they came with words of peace and friendship.

COMMANDER BETHELL (York, E.R., Holderness): May I ask whether Sir Henry Loch or the British South Africa Company is the chief authority in deciding to attack the Matabeles?

MR. S. BUXTON: The British South Africa Company have full responsibility for peace and order in their territory; but under the Charter there is authority to the Secretary of State, in case of any dispute between the Company and the Chiefs in their territory, to interfere if necessary; and under that authority Sir Henry Loch will not allow any aggressive movement on the part of the Company until the whole case has been put before him.

COMMANDER BETHELL: Does not Sir Henry Loch's interference involve the employment of the forces of the Crown?

MR. S. BUXTON: I hope not. The object of the interference is to prevent any forward movement on the part of the Company.

#### REGISTRAR GENERAL'S RETURNS FOR LONDON.

MR. SAUNDERS (Newington, Walworth): I beg to ask the Secretary of State for the Home Department whether the Death Rate and other Returns from the Office of the Registrar General could be given for London in Divisions instead of for the Metropolis as a whole?

SIR W. FOSTER: The weekly Returns issued by the Registrar General give in respect of each registration dis-

*Mr. Hozier*



trict in London the total number of deaths registered, together with particulars as to the number of deaths from different zymotic diseases and other particulars. Similar information is furnished in the quarterly Returns issued by the Registrar General, and in the Annual Summary tables are given showing the death rates in five groups of districts in London, together with the death rates from all causes and from certain selected causes in the same groups, after distribution of deaths in institutions to the districts to which they belonged.

#### CHOLERA IN HULL.

**MR. MACDONA** (Southwark, Rotherhithe): I beg to ask the President of the Local Government Board whether he is aware that, on the 24th instant, a boy, named James Henry Fortman, aged 11 years, died of Asiatic cholera at Havelock Terrace, Dansom Lane, Hull, in the midst of a densely populated part of the town; and can he inform the House how the disease was imported or where it originated?

**SIR W. FOSTER**: Dr. Mason, the Medical Officer of Health for Hull, reports that

"No case of Asiatic cholera has been imported into the Port of Hull; that he

"Can obtain no information of any opportunity the deceased had of contracting that disease;"

and he adds—

"The cause of death, in my opinion, was due to English cholera."

**MR. MACDONA**: Has the Senate of Hamburg issued Orders prohibiting importation to, or transport through, Hamburg of rags and old linen because of the fear the Senate has of their carrying the infection of cholera with them?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.): The hon. Member has given notice of a Motion with reference to this matter, and on it I shall be prepared to defend the conclusion at which the Local Government Board have arrived. The question has occupied our careful attention; but I cannot enter into the discussion of it now.

#### POST OFFICE SERVANTS AND THE PARLIAMENTARY FRANCHISE.

**MR. MACDONALD**: I beg to ask the First Lord of the Treasury whether, in accordance with the promise contained in the letter of 10th September, 1892, written by his direction, he has consulted his Colleagues with reference to the claim of the Postmaster General to reserve to himself the right to consider on its merits the question of the position of the servants of the Post Office in respect to the Parliamentary franchise; and, if so, with what result?

**MR. W. E. GLADSTONE**: It is eminently desirable that there should be uniformity throughout the Civil Service, and that the servants of the Post Office should be upon the same footing as those of the other Departments in respect to the franchise. As regards the Parliamentary franchise, there can be no question that its exercise is absolutely free from external interference, although, of course, it is subject to the general obligation which affects the public servants, in common with all other voters, to use the franchise for the public good. Questions may be raised, on which I have no judgment to give on the part of the Government, as to how far, for example, it is desirable for public functionaries to make use of their position as voters for the purpose of obtaining from candidates promises or engagements tending directly to the advantage of public servants in respect of pay and promotion. These are matters which we deem not undeserving of consideration; but still they do not form the subject of any decision on the part of Her Majesty's Government in the nature of a restraint. The only restriction by the custom of the Public Service on persons employed is that persons in the permanent employment of the State shall not take a prominent or active part in political contests, and it is not intended in future that any other restrictive rule should be imposed on the service of the Post Office. As regards public meetings not of a political character, but relating to official questions, the Postmaster General has decided to withdraw the restrictions at present in force. But in the Post Office, as in other Departments, it must be clearly understood that the right must be exercised subject to a due regard for the discipline of the Public Service.

## THE MIDDLESEX MAGISTRACY.

MR. A. C. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether it is correct that the Middlesex Clerk of the Peace demands and obtains fees amounting to about £10 10s. for the admission of each and every Justice to the Middlesex Bench; and, if so, whether he is right in making such charges?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The Clerk of the Peace informs me that he does not demand or obtain fees amounting to £10 10s., or any such sum, on the admission of Justices. I am in correspondence with the Clerk of the Peace on the subject.

## HOW TO SHORTEN LEGISLATIVE PROCEDURE.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the First Lord of the Treasury whether his attention has been called to Resolutions suggested for adoption by both Houses of Parliament by a Select Committee of the House of Lords on Public Business which sat in 1861, to the effect that it is expedient, in certain cases, to adopt an abridged form of proceeding with reference to Bills which shall be again brought before this House, after having been passed by it in the immediately preceding Session of the same Parliament; and that, on a Resolution being moved that it is expedient again to pass, and to send to the other House for its concurrence any such Bill, the Question shall be put whether the House will agree to the same, and on such a Resolution being agreed to the Bill to which it relates shall be forthwith sent to the other House for its concurrence without any further question being put or any debate allowed; whether Lord Salisbury took action to the same effect in 1869; and whether, in the present state of Public Business, he will consider the advisability of proposing some similar form of abridged procedure?

MR. W. E. GLADSTONE: I believe that the facts are accurately recited in the question of my right hon. Friend. The House of Commons has shown what I think on general grounds is a judicious indisposition to interfere with its excellent Rules as to Bills, which have

been found very well adapted to ordinary times. But we undoubtedly appear to have passed the happy era in which those excellent Rules were altogether sufficient, and it may be necessary under the new circumstances which have been pointed out by the question of the right hon. Gentleman that the Rules should be carefully considered by the Government. However, the moment has not yet arrived for that reconsideration. For the moment my answer seems to me to be sufficient.

## THE NAVY ESTIMATES.

MR. FORWOOD: Will the Secretary to the Admiralty say if it is intended to take the Navy Estimates again to-morrow?

\*SIR U. KAY-SHUTTLEWORTH: Certainly, if I am not so fortunate as to get them through to-night.

## ORDERS OF THE DAY.

## SUPPLY—COMMITTEE.

SUPPLY,—considered in Committee.

(In the Committee.)

## NAVY ESTIMATES.

Motion made, and Question proposed,

"That a sum, not exceeding £1,797,000, be granted to Her Majesty, to defray the Expense of the Personnel for Shipbuilding, Repairs, and Maintenance, including the cost of Establishments of Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1894."

MR. HANBURY (Preston) said, the Notice he had on the Paper for a reduction of the Vote applied particularly to salaries and allowances for the dockyards, and he proposed to limit himself to that subject, and not to go into the general question of shipbuilding. He did not quite know why the Admiralty had put down Vote 8 out of its proper order, unless it was that they wanted money. He rather fancied they had been running very close in that respect, and he hoped they would not for the third time this Session plead the necessities of the Public Service in order to justify the application of the Closure. If the Government desired to avoid lengthy discussions upon the Vote they should give the Committee the fullest information which it was in their power to give upon the different matters which

the Vote dealt with. This year, however, the Government had thought it right to give the most meagre information with regard to those matters, and ordinary Members of the House of Commons, as well as the English public, were kept in complete ignorance of what was going on in our various dockyards, and had no means of gaining information in regard to a Vote such as this. It was very different in the United States, where the Intelligence Department of the Admiralty usually published a large volume, which gave everybody a full and clear idea of what was being done. The Navy Estimates Committee which sat five years ago, and whose proceedings were recorded in a Blue Book, elicited some very valuable information, but most of that information had since become obsolete; and he hoped that next year, in order to save the time of the House, the Government would agree to the appointment of another Select Committee on the Navy Estimates, so that hon. Members might obtain all the information they desired as to the Votes. In the present year a good deal of attention had been devoted to the question of labour in the dockyards, and this fuller knowledge was consequently all the more desirable. But to return to the branch of the subject to which his Notice of reduction more particularly applied. At the time when evidence was given before the Committee, to which he had already referred, Professor Elgar was the Director of Dockyards, and he was evidently impressed with the idea that a great deal might be accomplished to improve the conditions under which work was done in the dockyards.

\*SIR U. KAY-SHUTTLEWORTH: Would not the question of labour in the dockyards be properly discussed on another branch of the Vote—on Sub-head B?

MR. HANBURY replied that the item "salaries and allowances" included labour, and he submitted that he was perfectly within his right in referring to the Director of Dockyards. He did not propose to trench on Section B. Professor Elgar recommended one or two reforms, and he would like to know what effect had been given to the recommendations? For instance, he suggested that contract ships should leave the contractors' yards as nearly ready for sea as

possible. Certain vessels for the Australian Squadron had been sent out from the contractors' yards almost ready for sea, with the exception, of course, of their guns and stores, and he desired to know if the same plan was being adopted in regard to all contract built ships? The old system had the further disadvantage that it made it wholly impossible to draw a comparison between ships built in dockyards and those constructed in private yards. There was evidence that the cost of ships built in the dockyards was enormously increased, owing to the time spent in obtaining their guns and gun-mountings, and also through constant changes which were made in the designs after the vessels were commenced. This could not happen in private yards. He hoped that in future more forethought would be shown, that guns and gun-mountings would be ready directly they were required, and that designs of ships would not be tinkered with and altered from day to day. He trusted, too, that the present Director of Dockyards was of the same opinion as the late Director on these points. Another matter which, in his view, ought to be brought more directly under the eye of the Director of Dockyards was the amount of unnecessary repairs to ships. There ought to be proper means for making a fair comparison between the cost of a ship built in a dockyard and the price of a similar ship built in a private yard. To do this a hard-and-fast line would have to be drawn between shipbuilding and repairs, and they would have to separate the charges for clerical work and for police which were not borne by a private yard. The men in the dockyards ought to be spurred on by competition. He was afraid that there was a good deal of old and obsolete machinery in the dockyards, which would not have been retained in private yards for a single year, and which hampered the men in the efficient performance of their work; and this ought to be got rid of. In private yards the sub-division of labour was far more complete, and in this respect, again, the Government yards were at a great disadvantage. Professor Elgar had pointed out that one great obstacle to cheap building was to be found in the personal qualifications of the general officers of the dockyards, who did not show the energy and administra-

tive ability which was displayed in the case of managers of many private yards. Even if there were competition between one dockyard and another, and between private yards and the dockyards, they would be hampered by the fact that all the Government officials at the Dockyards were a close Corporation, and men were set to do work there for which they were in no way qualified. In the case of a private yard the designs were drawn out at the Admiralty, and the Admiralty sent down a man to see that the designs were carried out, the building and designing being kept entirely distinct. The Naval Constructor was not in any way responsible for the building of the vessel, the designing and building being kept entirely separate, and the same principle ought to obtain in the dockyards. But nothing of the kind happened there, and the result was very unsatisfactory, because it led to frequent changes in the designs. Another evil which followed from that close corporation was that young men from the Naval College, after having been in the dockyard five years, were qualified to take the rank of foremen; and thus men who had no real practical knowledge, and were, in fact, only scientific designers, replaced practical foremen. The late Director of Dockyards was of opinion that these men, being a close Corporation, got too much into the way of a machine, and ships were kept waiting in consequence. The fact was that there ought to be one man, totally distinct from the designing, who ought to be as responsible for the building of a ship as a similar official in a private yard. He hoped that some such system would prevail in the future. He now came to the question of salaries—Sub-head A. With regard to Admiral Superintendents, it would, he admitted, seem at first sight that an Admiral was the last man who would be qualified to build a ship. No doubt the hon. and gallant Admiral the Member for Eastbourne (Admiral Field) believed an Admiral to be qualified to do anything in connection with a ship. In these matters he felt we had gone too far. We had gone, in fact, to a ridiculous extent in employing Artillery officers in the Ordnance Department, for instance. He had, however, come round at last to the conclusion that Admiral Superintendents were necessary, because in the dockyards

they had to deal with the question of ships' stores as well as repairs to ships, and Admirals were better qualified than civilians to deal with such matters. But he could not see any reason for maintaining the Department of Staff Captains. Five years ago the Director of Dockyards told them that that Department was wholly unnecessary. The sole employment of these officials seemed to be to see after the mooring of vessels; and he really could not understand why for that purpose such an expensive establishment should be kept up. Next, he wished to call attention to the large number of salaried men upon the Vote. Salaries and allowances amounted to £162,000, which was a growth of nearly £4,000 since last year; but, instead of increasing, this Vote ought to diminish. The number of men with salaries was 15 per cent. of the whole, and it was out of all proportion to the number of salaried men in private yards. If the supervision in the dockyards were perfect, something might be said in favour of the system; but Professor Elgar, the late Director of Dockyards, said that the work which was inefficient was the supervision, which was done principally by salaried men, whereas in private yards the supervision was done by men with wages. The argument in favour of salaried men was that they would have no personal interest in overtime; but there was no connection between the two matters. The large number of salaried men caused not only inefficiency, but a great deal of discontent and heart-burning on the part of the men who received wages. That was the opinion of Professor Elgar. Another subject to which he wished to direct attention was one which affected, unfortunately, other Departments of the Public Service, and that was that of money-lending in the dockyards. At the Enfield factory it was put a stop to by the Secretary of State for War two years ago, when it was found that the men who were testing the materials were, by reason of loans, to a large extent under the control of the very men whose work they had to test, and in consequence work was passed which ought not to have been passed. This money-lending system was most mischievous, and many cases had come before the County Court Judge at Sheerness, who



recently made some startling remarks in granting a debtor an administration order, stating that

"This money-lending business was the curse of the dockyard business at Sheerness,"

and he

"wished the dockyard authorities had no money-lenders in their establishment."

He hoped the Admiralty would do its best to put an end to this most vicious system. Another question he had to deal with was that of houses in the dockyards. On that, too, Professor Elgar had expressed a strong opinion, because he felt the existing system tended to create trouble. He thought houses ought not to be provided in the dockyards for any but the chief officials, and it would be infinitely better if the houses were done away with, and a fair allowance made in lieu of them. A much more important question was whether there were too many dockyards. Dr. Elgar had very strongly expressed the opinion that some of the dockyards were superfluous, and had suggested that even Pembroke was unnecessary. The dockyard to which, however, he made special reference was Sheerness, which cost between £60,000 and £70,000 a year. This was, he believed, only a repairing yard. [Mr. KNATCHBULL-HUGESSEN: No!] However that might be, Professor Elgar, who was trained in the dockyard, said he could see no advantage in having both Sheerness and Chatham, and the cost of Chatham would not be increased by doing away with Sheerness.

ADMIRAL FIELD (Sussex, Eastbourne): Sheerness would be useful for the purposes of mobilisation in the case of war.

Mr. HANBURY said, that that might strengthen the argument in favour of the maintenance of the dockyard; but Professor Elgar was speaking of it as an establishment in time of peace, and he (Mr. Hanbury) thought they had yet to be convinced that the remaining dockyards might not be sufficient for mobilisation in time of war.

COMMANDER BETHELL: When were these opinions expressed? Was it not just after Professor Elgar had been appointed Director of Dockyards?

Mr. HANBURY said, the opinions were expressed in 1888, and Professor

Elgar was appointed in 1885. So he had had three years' experience.

SIR E. REED (Cardiff): He was educated in the dockyard?

Mr. HANBURY, continuing, said, that showed he had had very considerable experience, and yet he declared he could see no advantage in having both Sheerness and Chatham, and the establishment charge of £80,000 a year might well be saved. He came next to another dockyard, about which Professor Elgar said he would like someone to tell him what was the reason for its existence. He referred to Haulbowline. [*Nationalist cries of "Oh!" and groans.*] He fully expected those groans; but in these matters political considerations ought not to exist, either as regarded labour, or as to the number of dockyards which ought to be maintained. Perhaps some of the hon. Members below the Gangway would give reasons for maintaining that dockyard, which really had never been completed. He had only one further comment to make. Dockyards ought to be kept for National purposes, and not used, directly or indirectly, for gaining votes for any particular Party, as he was afraid had been the case in the past, and as had recently been admitted to be the case in French dockyards. He hoped that in future such considerations would not be allowed to influence the policy of the Government. Certainly most of the dockyard seats were held by supporters of the present Administration, and he hoped the result would be that plenty of work would be given to the dockyards, so that sufficient employment would be found for the men, and they would have no repetition of those complaints of idleness for which there had been so much cause of complaint in recent years. Now that the Government had every reason for giving good work to the dockyards, he hoped they would not allow the old tendencies of Liberal Governments to prevail, but would do their best to keep the Navy up to the high standard of efficiency which was maintained by the late Government, and which certainly had the effect of raising the reputation of the late Government very highly in the opinion of the country.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £1,000."—(Mr. Hanbury.)

\*LORD G. HAMILTON (Middlesex, Ealing): I understand that the Civil Lord of the Admiralty (Mr. E. Robertson) proposes, on the next sub-section of this Vote, to make a statement with regard to certain alterations respecting the pay of the various branches of *employés* in the dockyards. If he does that, it is quite clear that the discussion will naturally drift to the important question of what wages are, and will be, at the dockyards. I am anxious, before we get to that subject, to raise the question of the shipbuilding policy of the Government. I have placed an Amendment on the Notice Paper for the purpose of specially calling attention to that part of the Vote which relates to new shipbuilding; but this part of the Vote applies to the salaries of all the officers who are interested in the superintendence of new construction; and, therefore, I think it will economise time if I take this opportunity of speaking to the Amendment of my hon. Friend. The two great branches of Naval Expenditure which always require special attention in this House is that which relates to the provision of men and officers, and that which concerns the provision of material. As far as the first great branch is concerned, the present Board of Admiralty have, I believe, done their best to give effect to the policy of the late Board, and I have no complaint whatever to make on that point, except that I think they have taken scarcely sufficient funds. But when I pass to the shipbuilding programme, particularly that part of it which relates to the new scheme, I am bound to say I am more than confirmed in the opinion I have already expressed on two occasions that Her Majesty's Government have taken insufficient funds this year for the accomplishment of the object in view. I stated that they were at least £200,000 short of the total amount, and only to-day we have Papers distributed to us which show that my estimate was a correct one, because they contain the striking announcement that the laying down of one of the few big ships Her Majesty's Government proposed to lay down this year, and which really form the mainstay of the shipbuilding programme, is to be postponed. I was somewhat sceptical at the time as to the accuracy of the statement made by the Secretary to the Admiralty (Sir U. Kay-Shuttle-

worth) that they are spending more this year than last year. I have since investigated the matter, and find that he is in error. Of course, it is not of much importance, but it is material in showing that the Financial Secretary is under an erroneous impression. Pages 174 and 175 of the Estimates show that the total amount of new construction for 1893-4 is £2,398,606, whilst the amount last year was £2,443,321, showing an excess over the provision this year of £45,000. When we turn to the next item, "reconstruction and repairs"—and the two classes of expenditure must go together—we find that the amount last year was £901,000, against £796,000 this year, showing a diminution of £105,000. There is thus a total deficiency of £150,000, compared with the provision of the preceding year. My complaint of the present Board of Admiralty is not merely that the funds they have provided are insufficient, but that they have shown an indecision and a procrastination in making up their minds as to what they are going to do, which is, perhaps, worse than the other fault. The present Board have been good enough to speak in commendatory terms of the policy of the late Board, and to inform the House that they are carrying out their policy. That is not the case, and I think that if a steady reversal of the policy of the preceding Government is going on the sooner the fact is known the better. I must ask the Committee to allow me to speak at some little length on this point, because I regard this as the most important Debate we have had on shipbuilding since the introduction of the Naval Defence Act. The principle which underlays that Act was that the naval strength of this country should be equivalent to the combined strength of any two foreign Navies. That was no new principle. Various First Lords of the Admiralty expressed that opinion before I did, but none of them took practical steps to carry it out. The policy assented to by Parliament in that Act was that, hereafter, the expenditure on the Navy should be conducted in accordance with a certain standard, and not be controlled by the personal vagaries of those who happen to be in Office, or the casual financial exigencies of the moment. The standard was to be based on the wants of the country, which were to

be regulated by the expenditure on foreign Navies. The obligation to maintain the Navy at a strength equal to the establishment of two foreign countries did not come to an end with the Naval Defence Act of 1889. That Act was merely the form in which effect was given to the principle. After consultation with the then Chancellor of the Exchequer, we came to a decision as to the number of fresh ships it was necessary to at once add to the Navy for the purpose of bringing it up to the required standard. We charged that amount to the Consolidated Fund. We kept upon the Estimates which were annually presented to Parliament the amount which, in our judgment, was necessary to make good the wear and tear of the establishments, and also to meet any of the augmented expenditure which might be sanctioned by foreign countries. The policy to which the late House of Commons gave its ready assent, and to which, I believe, this House of Commons would give its assent, was that the sum of money annually necessary to meet the waste of the Navy should be sacred from the attacks of the Chancellor of the Exchequer or the Treasury of the day. The Naval Defence Act was a warning to him that that was the last branch of expenditure which in times of depression ought to be attacked. The Naval Defence Act was much criticised by gentlemen opposite; but I think no one will deny its great success. My hon. Friend the Member for Preston (Mr. Hanbury)—who has, I think, always been an impartial critic of Naval Administration and Expenditure—has expressed the opinion that the principles laid down in that Act have been carried out efficiently and economically. We contended when the Act was introduced that it would result in a rapid and continuous progress of construction; that it would prevent ill-considered alterations in design, and would lead to a much closer adherence to the Estimates than was the case under the older and more dilatory system. Those expectations have been realised. No doubt there has been an increase of our original Estimates, but they can be easily and satisfactorily explained. The total excess over the sum allotted by the Naval Defence Act to shipbuilding is £1,127,000; but, on the other hand, there has been a saving of £442,000,

making the total excess £685,610. That excess was not due to misapplication or improvident Estimates. During the operation of the Naval Defence Act, the wages of dockyard artificers were considerably raised, and consequently an expenditure of £170,000 was incurred. We also had to provide a sum of £150,000 to meet the provision of boats and small craft attached to big vessels. That class of expenditure had never before been included in new construction; but, inasmuch as the Naval Defence Act contemplated that the ships mentioned in it were to be fully equipped and completed for sea, the Auditor and Controller General had held that the cost of those boats must be provided under the Act. Deducting these two unforeseen excesses, the total excesses came to only £365,000, and for that we gained an advantage in the increased size of the older vessels. I think we may fairly say that the fact that there is an excess of only £365,000 on a gross expenditure of £21,000,000 reflects great credit on the permanent officials of the Admiralty. The work under the Naval Defence Act was largely diminished in 1892. That was a somewhat critical period in the shipbuilding history of this country. Unfortunately, in that year a General Election took place, and a change occurred. The new Board of Admiralty, no doubt, found themselves in a position of some difficulty. They had to master a large number of complicated facts, ranging over several years. They had, moreover, the misfortune to have to deal with several serious accidents which befel several of the larger ships of the Navy, and their attention was naturally distracted by these accidents, and by the Court Martials which followed. They had a further disadvantage, in which I fully sympathise, for they had to deal with a Chancellor of the Exchequer having a falling Revenue without having any Act of Parliament behind them to protect them. At the beginning of 1892, I was urged by several of my naval friends to try an elaborate and fresh scheme of naval shipbuilding, for the purpose of gradually taking the place of that which was then lapsing. I felt, however, it would be hardly proper to undertake such a task on the eve of a General Election. If that Election had gone favourably for the Government of the day, we should

have been able to elaborate our own scheme, and to push it on with rapidity. If, on the other hand, the Election had gone against us, and a great scheme had been left for our successors to deal with, they might fairly and legitimately have said that they could hardly make themselves responsible for a scheme in which they had not been consulted about, the whole expenditure of which they would have to bear. Accordingly, I abstained from laying before the House any large scheme. I made the most careful investigations, however, as to what was necessary, and I laid before the House a modest programme, for the purpose of making good for one year only the wear and tear of the Fleet. The following is the language in which I described that programme in a Memorandum I laid before the House:—

"The new programme commencing modestly, comprising at present only three battleships and 10 torpedo boats, but in the course of the next 12 months I propose to extend and elaborate a much larger scheme for submission to Parliament next year, so that the material may be bought and the arrangements made for a fresh start early in 1893-4."

Before I left Office I placed on record, both privately and publicly, what were the intentions of the late Board of Admiralty. Those intentions were to lay down three fresh battleships in the year just terminated, and to lay down two more in the present year. The present Board of Admiralty have been in Office for a considerable period. During that period they have had plenty of opportunity of elaborating their plans, and laying before Parliament their shipbuilding scheme. I am bound to say that, making all allowances for the difficulties they have had to encounter, singularly little work has been done in the 12 months. I was anxious not to embarrass my successors in embarking on any expenditure which the Estimate I left behind me would not meet; but the Board of Admiralty of the late Government were absolutely unanimous in the opinions at which they arrived. These opinions were that the number of battleships I proposed for last year and this year were the minimum necessary to keep the Fleet up to the strength which the Board had fixed. I cannot admit that any change of opinion has occurred since on the part of my old Naval Colleagues; and if there has been any

change of policy, it must be owing to the change of Government, and to the fact that there is a different civilian element now associated with the First Lord of the Admiralty. It is a very difficult task to adjust and dovetail a new shipbuilding programme into an old one. It is sound policy to try and keep your expenditure from year to year as even as possible, and to keep the dockyards at the same level with as few fluctuations as possible. Therefore, to fit a new shipbuilding programme into an old one requires a great deal of care, and the closest possible supervision of details; and unless this is done, and a scheme is mapped out for years to come, inevitable financial disturbance would subsequently occur, and will result either in wholesale discharges at the dockyards or in very large increase of the Estimates. I looked very carefully into the weak parts of our Navy, and I found that a great addition which the Naval Defence Act had made to the strength of the Navy had given us a superiority as far as cruisers were concerned. But foreign nations had laid down a very considerable number of battleships; and it was necessary, if we wished to keep pace with them, that we should add considerably to the number of battleships we are building. I also found that we are short of torpedo boats, and that the number of small crafts we possessed contrasted very unfavourably with those of certain foreign nations. I proposed, as far as I could, to remedy these deficiencies by laying down the battleships I have mentioned, and by placing orders for the provision of a certain number of torpedo boats. Twelve months have elapsed since the present Board of Admiralty came into Office. I do not know whether they are aware how invaluable that time would have been had proper use been made of it. As it is, the result of nothing material having been done—no doubt from the causes I have mentioned—has been unquestionably to put us in this position: that unless a strong and determined effort is now made in two or three years our supremacy will undoubtedly be endangered, and certainly wholesale discharges will have to take place at the dockyards. It has often been said that our strength is so great that the loss of a ship or two is immaterial, and that we can afford to pass it by without making immediate efforts



to replace it. If the Committee will be good enough to give me their attention, I think I shall be able to show that this is altogether an illusion. I made a most careful analysis before I left the Admiralty of the strength of the British Navy and of the Foreign Naval Powers, and we were fortunate enough to arrive at the unanimous decision as to the different classes of vessels at home and abroad for the purpose of accurate analysis and comparison. That classification was the basis of the statement I made in 1892-3, and I assume it is still in force, because I cannot believe that any change of Government could in any way have resulted in the repudiation of the classification unanimously accepted by the experts when I was at the Admiralty. Taking that classification we found that, so far as second-class cruisers and smaller vessels are concerned, we have an unquestioned superiority over the combined vessels of any two Powers. When we come to first-class cruisers and armoured cruisers we have a slight superiority over the combined forces of any two Powers. But the essential part of the matter, and that on which our superiority depends, is the relation in which our battleships stand to other battleships. Nothing has been more clearly proved by that distinguished naval writer Captain Mahon, and nothing is more clearly accepted by naval men of all countries than that, comparatively speaking, little damage can be done to the commerce of any nation as long as its fighting power is supreme at sea. But let it once lose that battle for supremacy at sea, and the loss cannot in any way be compensated by any number of cruisers. Therefore it is most essential, when we talk of our strength as compared with that of foreign nations, that we should be perfectly clear in regard to the vessels which will have to bear the brunt of the fray. Taking the coast-defence vessels, and comparing them with those of the two most powerful naval nations, Russia and France, we find ourselves in a position of inferiority. Then we come to second-class and first-class battleships. I am in a difficulty in dealing with them, because I cannot allude to documents of a confidential character. But Lord Brassey is good enough to give to the public an annual which is of very great value, and which

is extremely accurate and carefully done. I will take the battleships of England, France, and Russia, as given by Lord Brassey, for the purpose of emphasising my argument that at present we have not that superiority in battleships which many people imagine. We undertook that in 1894 there should be a superiority; but what we have now to look at is not 1894-5, but the years subsequent to that date, and it is from that point of view that I ask the Committee to allow me to somewhat closely analyse the figures. Lord Brassey, on pages 202 to 204 of this year's *Naval Annual*, gives the present number of first-class battleships belonging to England at 35, whilst France's number is 16, and Russia's 11. In the case of second-class battleships England has 13, against 14 for France, and four for Russia. I agree with the numbers, but I differ altogether from the classification. If the classification be an accurate one, and according to most modern ideas, a very large reduction has at once to be made in the assumed superiority of first-class English battleships. There are certain *criteria* by which first-class battleships are to be judged. They must have great offensive and defensive power, and the offensive power should consist of speed and powerful armament, and the tendency of modern times is to attach more importance to secondary or subsidiary armament than to guns of a large calibre, because the rapidity of fire of the smaller guns is such that their fire can be concentrated into any given area with great effect. For the purpose of defence the vessel should be defended by armour, affording protection both to the hull, guns and gunners. Vessels deficient in these attributes cannot be classified as first-class battleships. I have, therefore, in the first place, out of the list of 35, taken the five *échelon* turret ships, *Agamemnon*, *Ajax*, *Inflexible*, *Edinburgh*, and *Colossus*. Three of these vessels are very slow, and none of them have any subsidiary armament which is in any way protected; and when we look at their fighting qualities, compared with those of other vessels of later date, it is impossible to classify them as first-class modern battleships. Then we have to deduct four more, the *Devastation*, *Thunderer*, *Dreadnought*, and *Vulture*, all excellent vessels of their time, but

which, again, are somewhat antiquated in their disposition of armaments, and none of which have any subsidiary armaments. Then there are three more, the *Alexander*, *Superb*, and *Téméraire*, two of which were excellent broadside vessels at the date at which they were built; but, so far as their armaments are concerned, they have muzzle-loaders some 15 years old; and the third is another powerful cruiser which did not come within the first-class. These three vessels certainly ought not to come in the category of first-class modern battleships. In addition to these 12 has to be added the *Victoria*, which was recently lost. If you deduct these 13 vessels from the 35 here enumerated, you only get 22 as the present total number of first-class battleships appertaining to England which are both built and being built. I apply exactly the same test to the French and Russian ships. Out of the list of 16 French ships given by Lord Brassey, only one, the *Redoubtable*, can be struck out. That brings the first-class battleships of France to 15; and applying the same test to the Russian vessels, there is only one that can be eliminated from the 11—namely, *Peter the Great*, leaving 10 first-class belonging to Russia; so that we find, applying an accurate classification and test to the battleships belonging to the chief Powers, that England has only 22 as against 15 for France and 10 for Russia, making a combined total for the two Powers of 25 against our 22. Of course, these 12 vessels which I have taken out of the category of first-class battleships can be added to the list of second-class battleships; and the result of my calculations, which formed the basis of my Estimates last year, is that, whilst our second-class battleships and coast-defence vessels may be put on an equality with the second-class battleships and coast-defence vessels of the two Powers, we are three short as regards first-class battleships, comparing the number at our disposal with those of two Powers in combination. How is it that we are three battleships short? For this simple reason: The present Board of Admiralty declined to commence two battleships which the late Admiralty Board added, and we have lost the *Victoria*. If the policy of the late Board had been carried out, and we had not lost the *Victoria*, we should only

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just have had an equality of 25 battleships compared with the two combined Powers; but as our ships were larger, and we build more rapidly, we might say we had a certain superiority. But a further division has to be made in the battleships. At the present moment we have this disadvantage: Out of the 22 vessels, we have 19 either afloat or in the last stage of revision, while France has 10 and Russia five in that condition. The weakness of our position is that, while these Powers have 10 vessels building, we have only three. Therefore, unless the present Board of Admiralty set to work resolutely and increase the number of battleships proposed to be laid down, in two or three years we shall be in a position of inferiority. I do not know whether this is intentional or not, but the action or inaction of the Board has not been in accordance with their statements in Parliament. Lord Spencer, in his statement, enumerated the reasons which influenced him in laying down new ships in 1893-4. He said—

“In 1893-4 it is proposed to lay down in the dockyards some new ships in order to maintain the strength of the Navy with a due regard to the ships in course of construction by other Naval Powers, and to the actual waste which goes on in our own ships.”

Since that Memorandum was written the *Victoria* has been lost, and questions have been put both in this House and in the House of Lords as to whether it is the intention of the Government to replace that ship. The reply in each case has been that our margin of superiority is such that it is not necessary to take notice of a single ship. But we have no superiority; and if the principle is to make good actual waste, how much more necessary is it to replace a ship that has suddenly disappeared. What is going on abroad? There has been an increase in the French Estimates this year of £675,000 for construction and repairs, and Russia is spending £160,000 more than last year; but our Estimates under this head are £150,000 less than last year. Therefore, it is self-evident that Lord Spencer has not adhered to the reasons given by him as influencing his shipbuilding policy, and that we are most unquestionably going backward. Among the Papers issued to-day is one giving the designs of two cruisers, and it is stated at the close of the Paper that it is

not proposed to go on with one of them this year. Why? £57,000 was taken in these Estimates for the purpose of commencing that cruiser. The reason is that the money is wanted for something else.

\*SIR U. KAY-SHUTTLEWORTH: Will the noble Lord read the reasons given in the Statement?

LORD G. HAMILTON: The reason given is that during the present financial year it is intended to advance more rapidly than was at first intended the construction of 14 new torpedo-boat destroyers provided in the programme. [Sir U. KAY-SHUTTLEWORTH: Hear, hear!] But I am afraid these new torpedo-boat destroyers were not to be commenced until some of the ships which had preceded them had been completed, tried, and tested. Have they been tested? No; therefore, it is perfectly clear that this is a mere reason to cover the position taken up at the beginning of the year by the Admiralty.

SIR U. KAY-SHUTTLEWORTH: The noble Lord has no right to assume that.

LORD G. HAMILTON: I have a right to assume that the Admiralty mean what they say. I have a right to assume that when the Admiralty published Estimates, which for months were on the Table of the House, they intended to adhere to them. What is the amount taken for each of the torpedo-boats? £3,000, and it is intended to spend a little more than £3,000.

SIR U. KAY-SHUTTLEWORTH: The noble Lord has no right to put in the words "a little more."

LORD G. HAMILTON: The words that are used are that these vessels will be advanced somewhat more rapidly, and I assume from that that a somewhat larger expenditure will be incurred than this £3,000, which does not in any way meet the sum which is taken from the new constructions, and which I do not believe will be altogether devoted to the more rapid construction of these vessels.

\*SIR U. KAY-SHUTTLEWORTH said, the intention of the Government was what might easily have been inferred from the Paper laid before Parliament—namely, to devote what was saved from postponing one of the cruisers to pushing on more rapidly these torpedo boats.

LORD G. HAMILTON: The right hon. Gentleman has been good enough to give me the latest form of the Estimates. In these there is a statement relating to these 14 vessels, and it appears that the orders for these vessels have not yet been placed. I understood—and I think the Financial Secretary will not contradict me—that these vessels were not to be placed out until a trial had been made of the vessels laid down last year. Am I correct?

\*SIR U. KAY-SHUTTLEWORTH: The noble Lord is speaking under an entire misapprehension. It is intended at once—and the first steps have already been taken—to place these orders. It is necessary to push on these torpedo destroyers rather than the second of the new cruisers, and the money proposed to be spent this year upon one new cruiser will be spent upon these torpedo-destroyers.

LORD G. HAMILTON: Wait until the end of the financial year, and I think it will be then found that £57,000 will not be entirely absorbed by the torpedo boats to which the right hon. Gentleman alludes. But I have not yet done with the finances of the Admiralty. The *Howe* is being repaired night and day. I believe the Estimate for her repairs is very large—I assume £40,000 or £50,000. Where does that money come from? There is no provision whatever in the Estimates for repairs to the *Howe*; therefore, the money must be taken from some other purpose for which it has been appropriated and devoted to another purpose not stated in the Estimates. When the Naval Defence Act was under discussion my hon. Friends on this side the House will recollect that one of the arguments used by gentlemen who sat on that (the Government) side of the House was that they should not take away from Parliament the control over the Naval Expenditure. All the gentlemen who made use of that argument were, as a rule, ex-Treasury officials, and what they meant by Parliamentary control was Treasury interference. Just let us contrast the position the House is in with regard to these Estimates with the position it was in as regards the Estimates prepared under the Naval Defence Act. In every single case under the Naval Defence Act it was necessary to lay before them full details of all designs of

ships before the House would assent to and give sanction to their commencement and prosecution, and every year there was an exact statement made with regard to every single vessel, and the expenditure once sanctioned could not be appropriated to any other purpose whatever. After the Admiralty had been a year in Office they proposed to transfer the expenditure, according to the statement of the Financial Secretary, to one cruiser to take the place of the battleships. We gave way as regards the battleship; and the Board of Admiralty having laid down that it was absolutely essential five battleships should be commenced in the two financial years, the present Board of Admiralty converted that five into three, and two cruisers, and now one is converted into a torpedo-boat. It seems to me that the Board of Admiralty have not thoroughly known their own mind, and an indecision and vacillation have characterised their proceedings which, I am afraid, will be very detrimental to the Dockyard Establishments. Now, Sir, let me recapitulate what changes have taken place since the late Board of Admiralty left. We proposed to lay down three battleships last year. One only has been laid down. Two battleships, it was arranged, were to be commenced in November last, and the present Board postponed this undertaking until March. Since then they have postponed the other two battleships, which, I believe, have not been commenced yet, and to-day we got very good designs of two new battleships—the *Majestic* and the *Magnificent*—which were practically assented to in all their main features 12 months ago, and when I left the Admiralty I placed it on record that these designs would be ready in three months. If the Admiralty considered it necessary to begin three battleships last year and two this year, why have they delayed this necessary work? If these designs had been presented to Parliament earlier, of course the ships would have been commenced earlier. A large sum is taken in these Estimates for the commencement and construction of the *Magnificent*. Does the Financial Secretary think that money will be spent? The amount is £180,000, and in order to spend that money the vessel ought to have been commenced in the summer months, when the working hours

are longer. April, May, June, July, and August have passed over, and, as far as I am informed, that vessel has not been commenced yet. You will not, therefore, be able to spend that money, which can be appropriated to other services, which was not the case under the Naval Defence Act. Looking through the Estimates, I can come to no other conclusion than that the Board of Admiralty took insufficient funds in the first instance. This is a year of great financial depression, and I think they have had the heavy hand of the Treasury upon them, and have been compelled to divert sums from their original purpose. This is a somewhat technical matter; but there is another branch of the subject which may, perhaps, interest gentlemen present even more than that I have already mentioned, and that is, what will be the result of this delay and procrastination upon the Dockyard Establishments? I will leave my right hon. Friend (Mr. Forwood) to deal with this subject, because he has made a calculation with reference to every detail of every ship which it is proposed to lay down. The Committee will bear in mind that new constructions vary very much in the proportion of material and the amount of labour they require in the different stages. The new ships, in the first stage of construction, require a large amount of material and employ a small amount of labour. In the middle stage the material corresponds to the labour, but in the final stage a small amount of material employs a large amount of labour. If the Committee will look at page 174 of the Estimates, I can there make my meaning and contention very clear to them. Roughly speaking, the wages of an artificer in the dockyards amount to about £70 or £75 a year. I will take it at £70, because that is a convenient figure. If you divide £100,000 of wages by 70 it gives 1,450 men. If the Committee will bear those figures in mind, they will see that the total amount of new constructions, so far as payment of labour is concerned, is £833,000. If £100,000 of wages employs 1,450 men, £833,000 will employ about 12,000 men, and these 12,000 men constitute the great bulk of the Dockyard Establishment. Of these 12,000 men and of these wages of £833,000, 10,000

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men, or £697,000, are engaged in the final stages of the work of the ships under the Naval Defence Act, and £136,000, or 2,000 men, are employed on new constructions as to which I am blaming the Admiralty for not more rapidly advancing. If the Committee will look at the third column, they will see the amount of material which has been issued in order to employ these men. They will see that £300,000 of material employs 10,000 men in the final stage, and that an issue of £290,000—which is practically almost the same amount—only employs 2,000 men in the first stage of shipbuilding. Next year nearly the whole of your labour will be taken out of the category of completed ships and put in the first category—that of commencing ships. I have made a calculation, and I find that only 2,000 men out of 10,000 are employed under the Naval Defence Act, and can be employed in that work, and that 8,000 men, or £500,000, will have to be transferred to the other stage of shipbuilding—namely, the construction. These 8,000 men, representing in wages £500,000, require at least £1,000,000 worth of material to keep them in employment, and the inevitable result will be, either there will have to be wholesale discharges of dockyard men or the bills for materials must run up by hundreds of thousands of pounds. I am not making this statement hastily. My right hon. Friend and I have had a great deal of experience in dockyard matters, and we were compelled during the time we were at the Admiralty to watch personally, month after month, the state of employment and how the issue of material corresponded with the amount of labour. What the present Board of Admiralty ought to have done was to have pushed to their utmost the new constructions, and possibly have delayed that other part of the work—namely, the completion, which gives so large an amount of employment in proportion to the material which is used. The dockyards at the last Election voted against the Party to which I belong because we did not accede to certain requests of theirs, but still I think we could guarantee them—I personally could—that there should be no wholesale discharge of men. There might possibly have been a gradual reduction of numbers which could have been effected by stopping the entries, but

I never contemplated anything like wholesale discharges.

THE CHAIRMAN (interposing), observed that he scarcely thought this matter arose on the present Vote.

LORD G. HAMILTON: Item A includes the whole superintendent staff—Admirals, Inspectors, and shipwrights, and all those who check labour and issue materials. I only wish to speak once, and I thought it better to raise my point now. Some six or seven years ago there was some dissatisfaction in connection with the dockyards. I had the unpleasant task of revising them, and the discharge of a considerable number of workmen was inevitable. That was a most unpleasant duty for me, and there is none I should be more unwilling to undertake again. But unless the Admiralty considerably accelerate their new constructions, I am perfectly confident that in the course of a year or two their policy will lead to extreme difficulty in giving employment to the bulk of the men in the Dockyard Establishments, and, therefore, the result of the delay of the Government and the Board of Admiralty in starting the new scheme of construction and pushing it on will not only endanger our supremacy two or three years hence and bring us below the standard of strength which four years ago was deliberately fixed by Parliament, and which ought to be maintained, but will also result in great disorganisation in our dockyards. When we consider how admirably the Dockyard Establishments have responded to the calls made upon them—what they have effected by economy and the excellent work they perform—I do think it behoves the Admiralty to look very closely into this matter, and do everything so far as they now can which will prevent the results which I anticipate. I am rather surprised the Financial Secretary should not have taken my observations in a kindly spirit, as my experience at the Admiralty—and I think it was the experience of all who came here to represent the great spending Departments in the late Government—my experience was that observations of a much more hostile character were addressed to us. I certainly wish to speak—not so much in a tone of censure as in that of an adviser—and the suggestions I have to make I make in all

seriousness. I suggest to the Admiralty that they should bring in a Supplementary Estimate for the purpose of making good the expenditure upon the *Howe* which was never anticipated.

AN hon. MEMBER: And one for the *Victoria*.

LORD G. HAMILTON: And, in addition, a Supplementary Estimate for the purpose of replacing the *Victoria* by a new battleship. The designs of battleships which have been laid on the Table of the House, are, in my judgment, quite satisfactory, and I think we might well build one more. I also press on the Admiralty the necessity of going on with the great cruiser if they attach importance to it. Personally. I do not see the necessity of building so many torpedo-vessels and torpedo-catchers. There is no doubt we were deficient in regard to such vessels; but it should be borne in mind that the torpedo-boat is the weapon not of the stronger, but of the weaker, Power; and I think it is far more necessary to build larger vessels than to concentrate our attention on the small vessels which, in any emergency, could be built in a very short time. There is one other subject which, before sitting down, I would say a word or two upon. It is in relation to our shipbuilding programme. The object of every Board of Admiralty is, or ought to be, to so arrange the shipbuilding programme year by year as to make good all wear and tear. Well, I take the list going back three years. In 1891-2 70,000 tons in the shape of new ships were added to the Navy; in 1892-3 110,000 tons; in the present year, 1893-4, 170,000 tons; in 1894-5 40,000 tons are to be added; and in 1895-6 18,000 tons. Yet, Sir, this year, 1895-6, is the year in which, as far as I can judge, the greatest addition of battleships is to be made to other Navies. I think we have cause for complaint in the fact that the Returns moved for months ago have only just been presented—some of them on Saturday, and some only this morning. In the absence of information, I find it difficult to express an opinion on some matters—upon the building of the great cruiser, for instance. I understand it is to be the largest vessel ever built for the British Navy. Its displacement is to be 14,000 tons; but it is to carry, if

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necessary, 1,500 tons of extra coal, which will make its displacement, when full, 15,500 tons. I am very doubtful whether it is necessary to go to this great size in a cruiser. I have never been in favour of a slavish imitation of the ships built by foreign nations, unless the conditions and circumstances which prompt the building of such vessels are the same in each case. Russia is building enormous cruisers, and those vessels have an enormous coal-carrying capacity. But why is it necessary for Russia to build vessels with gigantic coal-carrying capacity? For the simple reason that if she ever went to war, and those vessels were to prey on the commerce of her enemy, she has only one coaling station, and that is at the other end of the world. We, on the contrary, have got many coaling stations; and, therefore, it is not necessary for us to have ships with unusual coal-carrying capacity. I do not object to the armament or to the speed; but it does seem to me to be, especially at a time when the Board of Admiralty are short of money, and are deliberately postponing the construction of vessels which preceding Boards wished to lay down—it does seem a rather curious policy to indulge in the luxury of this enormous and costly cruiser. I am more in favour of long vessels, and I think it is a little reflection on the designers at the Admiralty that we had never yet been able to get a vessel constructed with a greater length than 380 feet. The building of this new vessel indicates an entire departure in naval policy. Hitherto it has been the practice to spend a limited sum on cruisers, and not to put very many men in a vessel which necessarily is not protected by armour. This new vessel will have a complement of 600 to 700 men. When the Admiralty adopt a new course and a change of policy, it is very desirable that the reasons which induce them to do that should be fully stated. I think the money in this case might be spent to better advantage. I will now conclude my observations.

AN hon. MEMBER: Hear, hear!

LORD G. HAMILTON: I hope that, as the House is supposed to be composed of gentlemen, people will try and behave as such. I hope the Board of Admiralty will seriously consider the proposal I have made.

I am confident a Supplementary Estimate is necessary, and that if one should be laid on the Table the great bulk of the House would assent to it. The introduction of such an Estimate would be a clear indication that the present Board of Admiralty are, both in spirit and in substance, giving effect to the policy of the Naval Defence Act, while the absence of such an Estimate shows that there is a departure in the naval policy of the country—a reversal of that naval policy which at the last Election met with the almost unanimous approval of the people.

\*THE SECRETARY TO THE ADMIRALTY (SIR U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): Perhaps it would be convenient if I were to follow the noble Lord in the comments he has made. I may at once state the view of the Board of Admiralty—which is that they have done their best to pursue that which is so desirable in the interest of the country—namely, a thorough continuity of naval policy. The noble Lord, in one or two portions of his speech, referred to the Naval Advisers. The noble Lord must be aware that no Board of Admiralty, no civilians coming to the Admiralty, can disregard the advice of their Naval Advisers; and the course the present Board are taking is one in which they have the concurrence of their Naval Advisers. They have acted in thorough concert with their advisers; and a large portion of the observations of the noble Lord has, therefore, been based on an entire misapprehension. The noble Lord suggests that a Supplementary Estimate should be brought in. It is a very easy thing to make such a suggestion when in Opposition; but the noble Lord must know how difficult it is for a Minister to propose and pass a Supplementary Estimate.

LORD G. HAMILTON: When the *Sultan* went down we brought in a Supplementary Estimate.

\*SIR U. KAY-SHUTTLEWORTH: I am perfectly well aware of that; but it is easy for him in Opposition to say “bring in a Supplementary Estimate.” It is not easy, and it is not always necessary, for a Government to bring in a Supplementary Estimate. With respect to the expenditure on the *Howe*, I am happy to say the salvage of the *Howe* was conducted not only with great skill, but at extremely small cost. The ex-

penditure on that vessel is probably very much less than the noble Lord imagines. It can be met from that margin which there always is upon repairs for ships. It can be met without any postponement of that shipbuilding which the noble Lord and the present Board has at heart.

MR. FORWOOD (Lancashire, Ormskirk): What is the amount?

SIR U. KAY-SHUTTLEWORTH: The amount that will be expended at Chatham on the repair of the *Howe* is estimated at about £40,000.

MR. FORWOOD: And in Spain?

\*SIR U. KAY-SHUTTLEWORTH: Well, as regards Spain, we have not yet got the account from the Spanish Government. £35,000 was spent on salvage; but the Spanish Government, with great liberality, put their dry dock at our disposal without any charge. I see by the newspapers to-day that the charge amounts to a certain number of pesetas; but the Admiralty have no information upon that subject. The noble Lord also suggests a Supplementary Estimate in respect to the loss of the *Victoria*. Surely this would be an admission that the naval strength of this country, after all the efforts of the noble Lord, after all the policy of the late Government, after the Naval Defence Act, is so dangerously low, that the unfortunate loss of one ship compels the Government to come at once to the House and say—“We must ask for money to build another ship.” The Board of Admiralty do not think it necessary to rush at once to the House of Commons and ask for money to build a new ship; but the fact that the strength of the Navy is less by one battleship has already been carefully considered and taken into account in connection with the future programme. Then the noble Lord condemns the Admiralty for not going on with both the two great cruisers, while, in the next breath, he throws doubt on the policy of building such vessels at all. My answer to the noble Lord on that point is that the very same Advisers who advised him when at the Admiralty differ from him in that opinion. Not only is the opinion of those now at the Admiralty favourable to the building of these cruisers, but also the opinion of Lord Hood, than whom there is no greater authority in the country. Seeing what

is going on in the shipbuilding of other nations, it is imperative that a cruiser should be built which would be superior to any being built in foreign countries. The noble Lord, in a manner not quite worthy of him, declines to believe us when we say that we shall spend the money saved by postponing one cruiser on pushing on the torpedo-boat destroyers. I think he might have accepted the assurance which I gave him across the Table. He also complains that the money is to be spent for this particular purpose of hastening the completion of the torpedo-boat destroyers. The Board of Admiralty are advised and convinced that one of the most urgent needs of this country is to have torpedo-boat destroyers. The noble Lord says the torpedo-boat is the weapon of the weaker State. That being so, the torpedo-boat has to be met. There are many who hold the opinion that the right way to meet torpedo-boats is by torpedo-boats. But we are advised, as the noble Lord was advised, that they should be met by larger vessels. The noble Lord is responsible for a large number of so-called torpedo-catchers, but they do not answer their purpose. They might be able to catch them in a rough sea, but in a smooth sea they are not capable of it. It is absolutely necessary for the security of the country that we should have torpedo-boat destroyers which would be capable of dealing with a swarm of torpedo-boats issuing from foreign ports. Having got to an advanced stage in the construction of six of these destroyers, we have considerable confidence that they will possess the qualities expected of them, and that we shall have the class of weapon that is wanted in the defence of the country—the weapon that is necessary to secure our interests.

MR. HANBURY : How many of them will be required ?

SIR U. KAY-SHUTTLEWORTH : I will give full information later in the evening on any details.

MR. WOLFF (Belfast, E.) : Will you use the same boiler as now ?

\*SIR U. KAY-SHUTTLEWORTH : A different type of boiler has been introduced. Greater knowledge has been obtained from the experience of foreign nations in tubulous boilers. Boilers of that kind will be introduced in some of

the vessels intended to cope with torpedo-boats ; and we hope, by means of these destroyers, to be able to supply a weapon which, as I have said, is absolutely necessary for the defence of the country, and which is now wanting. I will now follow the noble Lord through some of the other statements in his speech. The noble Lord has suggested that insufficient Estimates have been brought in. He has made that suggestion before ; but the more the experience of the year goes on, the more satisfied we are that our Estimates are sufficient for the year's work. The noble Lord complains that we are not spending sufficient on new construction, but under that head we are spending about the same figure that the noble Lord spent last year—indeed, rather more. The noble Lord accuses the present Board of procrastination, and of a reversal of a policy of the late Board. We have been guilty neither of procrastination nor of a reversal of policy. It is contended by the noble Lord that he provided in the Estimates of 1892-3 for two battleships, and that the present Board did not proceed with them until this year. But how much did the noble Lord provide for these ships ? £30,000 for one, and about £15,000 for the other—a mere commencement. The present Government are now providing £179,500 for one and £81,900 for the other ! Then the noble Lord might have referred to the great efforts that are now being made to push on the completion of the battleships for which he was responsible. The Admiralty hopes to complete them all in the course of the present financial year. Surely that ought to have the noble Lord's commendation. Of those ships the *Hood* has gone out to the Mediterranean, the *Empress of India* is completed already, the *Ramillies* will be completed in September ; it is hoped that the *Resolution* will be completed in September, the *Centurion* in January, and the *Royal Oak*, the *Revenge*, the *Repulse*, and the *Barfleur* will all be completed, we hope, within the financial year. Yet the noble Lord tells us we are doing nothing to continue the policy of our predecessors ! I think, after what I have shown, I am justified in saying that the line he has taken is unjust and unfair, and not consistent with the facts of the case. The noble Lord

*Sir U. Kay-Shuttleworth*



gave some figures, comparing our ships with those of foreign nations. I cannot accept generally his figures. In construction of battleships we are holding our own, but, no doubt, if we are to go on holding our own, we must go on building, and I am not sorry that the noble Lord has called public attention to that necessity. I may safely say that we have so far done our best to strengthen the Navy and maintain it at its proper efficiency. The noble Lord must be perfectly well aware of the programme that he left behind him. As the noble Lord has brought this matter forward, I feel justified in pointing out that we are closely following the programme with respect to battleships left by the late Board of Admiralty. I will not give the exact figures to the Committee unless the noble Lord challenges me, because he may have some objection to their production; but I may say that we are constructing already a very considerable proportion of the battleships which he proposed to construct between the time that programme was drawn up in 1892 and April, 1898. We have already in hand three battleships out of those mentioned in that programme, and we propose to go on very much on the lines of the programme, always remembering that we have lost one great battleship. That fact will not be lost sight of. I think the noble Lord, remembering what we have got on record as his own programme till 1898, ought not to have treated so severely what we are now doing. The noble Lord said he laid before the House, after the operation of the Naval Defence Act had come to an end, a modest programme for one year, and he made an apology for not passing another Naval Defence Act. I think the new Board may be excused for doing in their first year very much what he did, for the year after the Naval Defence Act, for shipbuilding. I will not now enter into the subject whether there should be a Naval Defence Act or not. He knows that on that subject we do not agree with him. We may, however, fairly claim that we are doing much the same as he did. Like him, we are laying a modest programme for one year before the House. As to the question of labour in the dockyards, I think that will come much more conveniently under Sub-head B. We are now discussing

the salaries of the officers. I may say, however, that the noble Lord's calculations on the subject of dockyard labour are, as far as I know, entirely fallacious. We have a most careful Controller of the Navy who has given the most attentive study to the question of providing continuous employment in the dockyards and avoiding large discharges, and it is our intention to give continuous employment and not to have large discharges.

MR. KEARLEY (Devonport): No discharges are anticipated?

\*SIR U. KAY-SHUTTLEWORTH: No, Sir; but I believe this question will be better discussed on Sub-head B. There is no intention of making discharges; in fact, our policy is entirely the opposite. My hon. Friend the Member for Preston (Mr. Hanbury) asked me a certain number of questions which I hope he will excuse me for dealing with very shortly. I cannot agree with him that it is desirable to alter the present system by which contract ships are finished in the dockyards. I think the noble Lord opposite would have a good deal to say on that subject. My hon. Friend is very inconsistent, because a very few minutes after he had been arguing against giving work on the contract ships to the dockyards he spoke in favour of keeping the dockyards in full work. With respect to guns and gun-mountings, I must reserve my observations for Vote 9. When the hon. Member opposite (Mr. Hanbury) sat on the Committee some years ago, he learnt that there was a great deal to be desired; but I do not think that he will find that ships are now completed without having guns and gun-mountings ready for them. On the subject of repairs, he asks that the Director of Dockyards should give a personal eye to these matters. If the hon. Member knew the system in force, I do not think he would have any anxiety under this head. He would know that every repair goes under the review of the Director of Dockyards and the Controller, and even so poor an authority as the Financial Secretary to the Admiralty. He would find that unnecessary repairs are minimised as far as possible. I do not say we have reached perfection in this matter. I agree that those interested in particular ships have

a strong desire to see all kinds of repairs effected in them, some of which are hardly necessary. My hon. Friend knows that that is the case; but the present system of carrying out repairs is an efficient check upon that tendency. Then my hon. Friend says there is no effective competition between the dockyards and private shipbuilding yards. In my opinion there is such a competition going on between public and private yards, and the former come very well out of the contest, inasmuch as battleships are built in them more cheaply than in the private yards.

MR. HANBURY: Does that take into account the profit of the private contractor?

SIR U. KAY-SHUTTLEWORTH: That, of course, is included in the contractor's price.

MR. WOLFF: And depreciation of work?

\*SIR U. KAY-SHUTTLEWORTH: Yes. Depreciation is taken into account in the indirect charges for dockyard ships. With regard to the Staff Captains, I do not think it has ever been contemplated to abolish those persons. As to the houses in the dockyards, I will inquire into the matter. The hon. Member has complained that we have too many Government dockyards, and he especially singled out Sheerness Dockyard and Haulbowline for condemnation; but the fact is that that dockyard has special uses for defensive purposes, and would be found most valuable in time of war. My hon. Friend is mistaken in supposing that no ships are built at Sheerness. It is a good place for building vessels of a small size, and some very fine ships have been built there of late. But on these points I see the hon. Member for the Faversham Division ready to fall upon him from behind, and the Irish Members from below the Gangway. So I will only express my regret at having been compelled to take up the time of the Committee so long.

\*MR. FORWOOD (Lancashire, Ormskirk) ventured to say that the right hon. Baronet had entirely misconceived the drift and meaning of the remarks of the noble Lord (Lord G. Hamilton). They had been made in that spirit of fair criticism which the Navy Estimates should receive, and the Navy Estimates were likely to have

that full and fair criticism this evening for the first time for six years. [Laughter.] The right hon. Baronet (Sir U. Kay-Shuttleworth) ironically cheered his statement that there had not been a full and fair debate on naval policy in the last six years. St. Patrick's Day and other circumstances had intervened, and the Estimates had passed through the House almost unchallenged. He was one of those who believed—from his experience of the Public Service—that nothing strengthened the hands of a Minister more than the idea that all questions must be submitted to the criticism of the House. The right hon. Baronet had said that it was easy for the Opposition to suggest a Supplementary Estimate; but it was a very difficult thing for the Government to bring one in. He had proceeded to say that a Supplementary Estimate was not necessary in the case of the *Howe*, because they would be able to provide for that exceptional expenditure out of savings. Well, the dockyard expenditure, he gathered, would be £40,000, the salvage would amount to £35,000, and there would be a charge in Spain as yet unascertained; but it would not be placing it at an extravagant figure if he put it at £25,000. So that he calculated there would be a charge on this year's Estimates of £100,000, which the Secretary to the Admiralty had mentioned in a casual sort of way would be met out of the ordinary Repairs Estimate. But that meant no less than 25 per cent. of the total Repair Vote asked for, and he doubted if there was such a margin as to allow this to be done. The right hon. Baronet had said it was not necessary to rush into new ships, as we were not short of vessels. He claimed that he was keeping up the continuity of naval policy of his predecessor, and that the amounts provided in the Estimates of last year for two battleships—neither of which had been commenced—were sums for the mere commencement. And then the right hon. Baronet had told them that he hoped to complete the battleships of the Naval Defence Act this year; that credit ought to be given to the present Board of Admiralty for what they had done; and that the line of argument taken by the noble Lord was not fair. He (Mr. Forwood) had quoted all this to show that the right hon. Baronet had not appreciated the point made by the noble

*Sir U. Kay-Shuttleworth*

Lord. The point of his noble Friend's speech with regard to new ships was that it would be impossible to continue the policy laid down unless next year the Chancellor of the Exchequer—whoever he might be—was prepared to provide a much larger sum for material and contract work than was asked for in the present Estimates. He was glad the Chancellor of the Exchequer was in his place. If the right hon. Gentleman should be—as he did not believe—in Office next year, he would have to provide excessive Estimates, arising out of the present want of appreciation of the necessity to have work in hand for the labour which ceased to be employed under the Naval Defence Act. He was aware that the policy of the Naval Defence Act had always been questioned by right hon. Gentlemen opposite; but the principles of that Act were the only ones upon which the dockyards could be conducted on a business-like footing, unless they were to have large discharges of men in one year and large engagements in the next. The Naval Defence Act provided that the moneys which it was estimated would be expended on vessels in a given year, and which was voted but unexpended, should, instead of being refunded to the Treasury and re-voted, be paid into a fund available for the next year's expenditure. Another point of the utmost importance to the economical and good administration of the Service was that the Act contained a proviso allowing advances by the Treasury for payments on account of armour-plates and other costly materials, which advances were repayable out of the Vote of the next year. In 1890-1 contractors earned for machinery and materials which were to be employed in the construction of dockyard-built vessels £200,000 less than was provided in the Estimates, and, on vessels built by contract, the sum earned by contractors, by reason of the slower progress of the ships, was £1,000,000 less. Now, if it had not been for the provision in the Naval Defence Act to which he referred, the Estimate for the year 1890-1 would have been £1,200,000 more than was necessary, and that sum would have had to be surrendered to the Treasury and in the next year the taxpayer would have been called upon again to provide it.

THE CHAIRMAN : I do not see how this arises on the present Vote for Salaries and Allowances. The policy of the Naval Defence Act is not before the Committee.

MR. FORWOOD said, he bowed to the ruling of the Chair; but he only desired to show that the present proposals of the Government, viewed in the light of the experience derived under that Act, were not framed as they should be, and were not sufficient for the labour and material required in the construction of the new ships—it could only result in great disturbance of the Estimates of future years. Shipwrights and others would be liable to be discharged unless better provision were made for a proper sequence in the construction of ships. In the construction of a vessel, the amount of labour and material which might be required varied very considerably from year to year, and the difficulty was to keep an equal ratio between them, as far as possible. He should be able to show, he thought, that the present proposals did not meet that at all. The cost of labour, including the work of Inspectors and shipwrights, in constructing a battleship, amounted to about 25 per cent. of the total cash outlay, excluding guns and incidental charges; while, on cruisers, the proportion was about 35 per cent. The proportions, however, as already stated, varied from year to year. For example, under the Naval Defence Act, for every £450 or £500 spent in the first year on the construction of a battleship, employment was found for only one man; while, in the second year, the expenditure of £300 to £400 gave employment to one man. As regarded cruisers, the figures were £350 and £300 for the first and second years respectively. If all the ships were commenced, as they probably would be under the present programme of the right hon. Baronet, there would be little employment for the Inspectors of ships and shipwrights in the first year, while an abnormal amount of labour would be required in the second and third years. The total expenditure on the completion of the Naval Defence Act and in commencing new ships was shown to be £1,890,000, which included £818,000 for labour. Taking this latter amount at £75 a head, this meant the employment of 10,900 men. But the Estimates only provided for

labour and material on the basis of £170 for each man employed, which was clearly much below the normal requirement, since it required an annual average expenditure of £300 to employ one man on an ironclad and £250 on a cruiser. This was due to the special circumstances of a large number of vessels completing and few being begun. This must lead to a serious disturbance of the Estimates for next year if the number of men in the dockyards were to be maintained, unless a great increase were given in the Material and Machinery Vote. He would now examine the probable effect upon the future of the policy adopted by the present Board of Admiralty. The mistake had been in not commencing the work earlier, as intended by the late Board, and in not putting in hand a sufficient amount of new work and ordering material this year to properly absorb their labour in the next and following years. The total labour bill in this year's Estimates on new construction was £433,000, of which £700,000 was devoted to the completion of the vessels under the Naval Defence Act. Next year, however, these vessels would only want labour to the value of about £135,000, leaving a balance of labour available for other new construction to the value of about £700,000. They were commencing ironclads which would cost £2,300,000, and cruisers which would cost £850,000. The labour on the ironclads would represent a sum of £560,000, and on the cruisers £300,000. In the present year the labour bill on these new ironclads would be only £100,000, and on the cruisers £30,000, so that future years would have to provide £730,000 for labour to complete the Board's new programme. The success that had attended the late Board had been in the rapid construction of vessels, and he could point out the enormous saving to the country that had accrued from this rapid completion of ships. In 1891-2 and 1892-3 it would be found that 26 ships were completed at a cost of over £4,000,000, which was £100,000 less than the sum asked from Parliament. Compare that with what was done in previous years. The *Collingwood*, the *Edinburgh*, the *Howe*, the *Impérieuse*, the *Colossus*, and the *Conqueror* took an average of seven years to build, and cost £348,000 more than Parliament was told they would

*Mr. Forwood*

cost, whilst the ships built under the late Board—

MR. J. BURNS (Battersea) asked if the right hon. Gentleman was in Order in discussing the late Shipbuilding Programme?

THE CHAIRMAN: I think he is in Order in discussing the shipbuilding, as this is the Shipbuilding Vote; but he would not be in Order in discussing the wages of the men.

MR. FORWOOD said, he was endeavouring to keep as close to the Vote as possible, and the Vote now under discussion contained a large amount of expenditure for the wages of the men engaged on the ships. He wished to impress upon the Admiralty the importance of pushing on the work, and to show the saving which followed rapid construction. If they were to retain in the employment of the Admiralty the same number of men as were occupied to-day in new construction, they would have in 1894-5 to lay down new vessels which would absorb something like £300,000 value of labour; and the result would be that, in consequence of the delay in the construction, the Admiralty would have to come to the House next year or leave to their successors' Estimates from £1,000,000 to £1,500,000 more than were borne by the present Votes. It was difficult to separate the cost between one part of the programme and another; but Vote A included charges for men employed in connection with the contract programme. Under that programme the House was committed to an expenditure of £2,250,000 for vessels to be built by contract; but by the omission of the *Terrible* the amount might now be taken at £1,650,000.

SIR U. KAY-SHUTTLEWORTH: No, Sir; the right hon. Gentleman is quite mistaken.

MR. FORWOOD said, if he was making a mistake it was because the figures were not given; these Estimates were quite incomplete, and it was impossible to find out what amount Parliament was to be committed to in connection with the vessels to be put out to contract. The right hon. Gentleman had supplied him with some information, from which he had endeavoured to estimate the cost of those to be put out to contract, and he had estimated the cost of the *Terrible* and the *Powerful* at £600,000 each, and



he believed he was under the mark in fixing that figure. If he was right, the total cost of the ironclads, cruisers, and torpedo boats proposed to be put out amounted to £1,600,000 less the *Terrible*; and if he was wrong his error arose from want of information in the Estimates. Perhaps the right hon. Baronet would say what the Estimates would be of the vessels to be put out to contract, after deducting the *Terrible*?

\*SIR U. KAY-SHUTTLEWORTH: The right hon. Gentleman will see that if the Admiralty postpone for a few months the building of the *Terrible* it makes no difference in the amount to be put out to contract—it simply alters the order in which the vessels are to be built.

MR. FORWOOD said, he was sorry he had not made his meaning clear. His point was simply this—that the vessels which they were going to put out to contract would cost £1,650,000. Of the total amount to be spent on contract work the present Estimates provided for only £470,000, leaving £1,000,000 to be provided for in future years, while the financial difficulties of the future would also be enhanced by the postponement of the bulk of the cost of the repairs to such ships as the *Warrior*, *Monarch*, *Phaeton*, *Agincourt*, and *Comus*. This year, £186,000 was to be taken towards the construction of these ships, leaving £263,000 still to be provided. It appeared, therefore, that everything was being done in connection with the Naval Estimates this year to make a great show and to give small performances, throwing upon the future a disproportionate amount of cost. It was only a repetition of previous policy of throwing these large charges on future years. If that was not done, there must be a large displacement of men in the employment of the Government at Her Majesty's Dockyards, and a large increase in the Naval Expenditure.

\*THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): The right hon. Gentleman has been good enough to give notice to the Chancellor of the Exchequer that next year there is to be a great increase in the Naval Estimates, and was good enough to assure me that I should not be in that position, and, therefore, I may take a disinterested view of this question, and that notice

may be given to whomsoever it may concern. But he laid down a principle in which I very much concur—that nothing can be worse in connection with the Estimates than the practice of making a great show and leaving the cost to be paid by the future. Well, that was exactly the position which the late Government bequeathed to us. There was a great show made under the Naval Defence Act; but very great care was taken that the people who passed that Act should not pay the cost of the vessels. The hon. Member says that we shall want £1,500,000 more next year, and still more the year after. Yes; and what is to become of the £1,500,000? It is to go in paying the debts of the late Administration. Curiously enough, this is the very amount which they have charged on the Consolidated Fund for the ships built under their programme; and for two years we shall have to pay £1,500,000 to discharge the debts the late Government have incurred. No one could be a better authority on this question than the hon. Member. The policy of the Naval Defence Act was a policy which, I hope, no Government will hereafter adopt, and which certainly the present Government will never follow. A worse financial policy it is impossible to conceive, and then we are told that there is to be a great increase of the Naval Estimates. We protested, when in Opposition, against this policy of shoving off the cost upon another generation. We protested against this reckless finance, and certainly we have not the smallest disposition to follow the example. We shall have enough to do to pay off the debts of the late Government. The hon. Member said the Chancellor of the Exchequer must meet greatly increased Estimates. That was not the policy the late Government adopted when they came into Office. The first object of the late Chancellor of the Exchequer was to reduce the Navy Estimates by nearly £1,000,000.

LORD G. HAMILTON: No.

\*SIR W. HARCOURT: Well, it was £800,000. The noble Lord, in the speeches he made on the condition of the Navy, said—

“I am happy to say that, in consequence of the condition in which the Navy has been placed by my predecessors in Office, I am able to reduce the Navy Estimates.”

And I am certainly right in saying the sum was about £800,000 in the first Budget, and about £1,000,000 in the second. They justified their reduction on the ground of the great efforts made in previous years. No doubt it is the duty of every Government, to whatever Party they belong, to take care that the supremacy of the British Navy shall be unquestioned. That is the principle which we all accept, and the policy of the Government will be governed by those considerations. But we must have regard to the condition of the Navies of other countries. I have always made it a special subject of interest to inquire what are the relations of the British Navy to the other Navies of the world, and I would undertake to say that the superiority of the British Navy was never so great as it is now.

MR. HANBURY : To any one Navy, or to two ?

\*SIR W. HARCOURT : To a good many of them. I have taken very great care to investigate the matter; and if you examine as to the great battleships, those of 10,000 tons and upwards, you will find that, with reference to their tonnage, their numbers, their speed, their capacity, as compared with other Navies of the world—the Navies of France, Russia, the United States, and Germany—the superiority of the British Navy was never so great as it is now. Again, when you compare the great cruisers of this country with those of other nations you will find Great Britain possesses an immense superiority. One thing the Government are not going to do. They are not going to propose to build a number of ships and leave their successors to pay for them. That was the policy of the Naval Defence Act. The battleships will be completed before the 1st of April, 1894. There is a matter of importance in this respect. One of our greatest battleships has been completed in three years; but I see from the Estimates as to the French Navy that they make a special boast that a battleship was completed in five years. That shows the great advantage which this country possesses in the point of construction. The right hon. Member who has just spoken has, no doubt, given his notice to the right hon. Gentleman sitting beside him (Mr. Goschen), and I have spoken as an entirely disinterested party.

*Sir W. Harcourt*

\*SIR E. J. REED (Cardiff) thought the Secretary to the Admiralty might have waited until he had heard what the Committee had to say; but there was one advantage to be derived from the discussion that had so far taken place, and that was that after the speeches they had listened to they would not be so much trammelled in their observations. He hoped, however, the Committee would not infer from this that he intended to make a long speech, for, on the contrary, he intended to address himself only to one or two points. The noble Lord the late First Lord of the Admiralty (Lord G. Hamilton), in appraising the value of our own and other Navies, laid down the proposition that what they had to consider was first their offensive, and secondly their defensive power; and the noble Lord went on to remove from the first-class ships a number of vessels on the sole ground of their being without a minor armament, without a number of small guns. It was essential to the argument of the noble Lord that he should have gone on and have dealt with their defensive powers; but on that question, unfortunately, the noble Lord said nothing. On this point, however, he (Sir E. J. Reed) had a word or two to say. The Chancellor of the Exchequer a few moments ago assumed we had a good Navy, and spoke of the number and speed of the vessels and various other matters; and there seemed to have grown up a habit in this House of believing that anything they put together in the form of a steel structure and called a first-class battleship was really a contribution to the naval strength of the country. He wished once more to dispel that delusion. A few years ago a strange class of vessels was introduced into the British Navy, and as soon as it became known to some of them they were denounced as dangerous structures which might end in disaster to the country. Many Members would remember the exciting Debates there were on the subject. The character of the Debates was indicated by this remark in *The Standard* in 1887—

“ Mr. Reed's objection to the *Inflexible*, as the world pretty well knows by this time, is that when the unarmoured portion of the vessel has undergone extensive damage the ship will capsize. The idea of a great ironclad turning keel uppermost is extremely harrowing.”

Sir Spencer Robinson, writing in *The Times* eight years ago, said—

“Do not let us forget we have 11 first-class ironclads built and building, on the principle of armoured central citadels with unarmoured ends, these ends being more than half the length of the ship, and we have the highest authority for saying that, with the armoured citadel intact and an unarmoured end destroyed, the ship is in imminent danger of upsetting.”

He quoted these extracts to show that when the catastrophe occurred the other day to Her Majesty's ship *Victoria*, it was nothing unexpected or unforeseen that happened. That happened which every Administration for years past had been told would happen. An unarmoured end of a ship suffered injury, and the ship capsized and went to the bottom. He saw indications that attempts would be made to attribute this catastrophe to some of the doors of the watertight compartments having been left open. He did not know whether the Committee would take it from him or not—and they need not unless they pleased—but he told them it was nothing of the kind which brought about the catastrophe. He believed it was not from any cause of that kind that the *Victoria* capsized. She was bound to capsize with the injury she received. There were other ships that were equally bound to capsize if they were injured in the same manner, and under similar conditions. The reason was that, instead of the armed citadel being the major part of the structure, and the unarmoured ends of the ship being the minor portion, they had chosen to make the unarmoured ends the major part of the structure, measuring more than half the entire length of the ship. The ships that were likely to capsize in a similar manner if they received like injury, in peace or in action, were the *Agamemnon*, the *Ajax*, the *Anson*, the *Benbow*, the *Camperdown*, the *Collingwood*, the *Colossus*, the *Edinburgh*, the *Howe*, the *Inflexible*, the *Rodney*, and the *Sans Pareil*. If any of these were badly injured in their unarmoured ends they would inevitably capsize and go to the bottom. He did not know how many ships the country should require to sacrifice before they took warning. He must recur again to the fatuity of pretending that watertight doors could be so kept closed as to save vessels of this character. What was forgotten was that the whole of this unarmoured part of the

ship was occupied. Between the decks the principal space was the residence of the crew, the place where 600 men had to live, and below that were the places where the work of the ship had to be carried on. Because they had chosen to make that the residential part of the ship, exposed as it was, he would defy any naval architect—including the hon. Member opposite the Member for Belfast (Sir E. Harland)—to devise a vessel like the *Victoria* with bulkheads so that the men could live in the ship and the service of the ship be performed with all watertight doors kept closed. It was absolutely impossible. Therefore, those who went on producing ships of this character knowingly imperilled the lives of 10,000 seamen. The probable loss of the *Victoria* was foreseen; and if any of the other ships he had named similarly collided with a ram they would doubtless go down in the same manner. He wished to read a few sentences which had been spoken four years ago by a naval officer, who was now a Superintendent of one of Her Majesty's dockyards, as a reason for not troubling himself further about this matter—

“I do not propose to follow Sir Edward Reed through his diagrams here. I do not know that he is a better judge of the risks of battle than we are. He may be, perhaps; but if we are prepared to accept the risks he points out to us, and the fearful pictures of drowning men and bursting boilers, and so on, why not? He is not going to fight in the ships. If we like to risk drowning for the sake of being able to hit harder, as Lord Charles Beresford put it, Lord bless my soul, let us have the risk, and let us be the judges! Do not say anybody is a better judge of what we have to risk than we are.”

All he would say was that neither the House nor the country could pretend, when another catastrophe like the *Victoria* occurred, that they knew nothing about these things. At all events, if the House and the country cared anything about their vessels and their seamen, they would do something to prevent the recurrence of these great catastrophes. He would turn to another subject of quite a different character arising out of the remarks of the Secretary to the Admiralty. In discussing the question of the dockyards the Secretary to the Admiralty stated that dockyard ships were more economically produced than contract ships. The other night he had asked why the Estimates for four first-class protected cruisers had

been so much exceeded, and it was stated in reply by the Secretary to the Admiralty that there had been alterations of design, additions, improvements, and increase of pay. There were nine ships to be begun in 1889 and 1890. Four were sheathed with wood and copper, and, as alterations were made in them, he would leave them out of consideration. He would take the case of the unsheathed vessels. There were five unsheathed vessels of the *Edgar* type. Two were built in the Royal Dockyards and three by private contract. The Estimate for the *Edgar* was £364,000 and for another vessel £349,000. The Estimates included incidental charges, which varied enormously. It would be a convenience to know a little more about these charges. The prices of the ships built under the private contracts were £334,000 in one case and £337,000 in the other. So the cost by private contract was £30,000 less than the Admiralty's own Estimates. The Admiralty, having made contracts £30,000 less than the amount to be expended on their own ships, next ascertained that their Estimate for their own ships was £37,000 less than was required. The Secretary to the Admiralty explained that this increase was due—first, to additions and improvements made to the ships during their construction; and, secondly, to the increase in wages. The increase in wages was only £4,000. Consequently, £33,000 had been expended on additions and improvements. These additions and improvements had likewise been forced on the contractors, who had naturally applied for some corresponding allowance. But the Admiralty had refused to give them more than a third of the sum they had themselves expended on additions and improvements, with the result that the contractors were, if not practically ruined, subjected to a loss of a most shameful kind. He could not understand the principle on which the Admiralty had acted in these matters. He had himself been engaged for many years in carrying out contracts, and the principle he had always acted upon was this: that whatever was just and right under the interpretation of the contract should be enforced, but that the moment the contractor was called upon to do something that could not have been contemplated at the time of the making of the contract the proper thing was to pay

*Sir E. J. Reed*

him. He certainly thought that in these cases the Admiralty should take into account the extra outlays they had imposed upon the contractors.

COMMANDER BETHELL (York, E.R., Holderness) asked whether the hon. Gentleman's figures included the dockyard charges on contract ships?

SIR E. J. REED said, the figures he gave comprised not only the contract price of the hull and machinery, but also the charges for work to be done in the dockyards on delivery. He did not think the Chancellor of the Exchequer quite understood the point raised by hon. Gentlemen opposite. They did not, in his opinion, say they would press the Government to spend more money next year, but they pointed out that there was in the Dockyard Establishments a large mass of labour which the Government, being supported by the Dockyard Members, did not wish to interfere with; and they said that if the Government did not in time start the building of ships, they would have to make provision for the material at a heavy loss or get rid of that labour. He would recommend the right hon. Gentleman not to resist that argument, but to regard the question as one requiring business investigation. He was sure that if the right hon. Gentleman considered the matter in that light it would be properly dealt with.

MR. GOSCHEN (St. George's, Hanover Square): I rise to say a word or two in reference to the extremely important observations which have fallen from the hon. Member for Cardiff (Sir E. J. Reed), which I think ought to be immediately taken notice of. The hon. Member is undoubtedly in error if he thinks the country does not care for the lives of its seamen or the loss of its ships. The hon. Member, who is a distinguished member of the shipbuilding profession, attacked these ships in the past. Now a ship has gone down, and the hon. Member has read out a list of ships and has informed the Committee and the country that they exhibit the same errors of construction as existed in the *Victoria*, and that the same fate may await them under similar circumstances. I do not know what the Government may think; but it seems to me, in view of that statement, that there must be a thorough and searching inquiry without delay into the



cause of the loss of the *Victoria*. The Government, I am sure, will feel, from the views which I have expressed on previous occasions, that there is not the slightest wish on my part, and certainly not on the part of anyone on this Front Bench, to interfere in any way with regard to the time, mode, or circumstances of that inquiry. But I venture to appeal to the Government whether it is possible to allow statements such as have been made on the responsibility of the hon. Member for Cardiff to go forth, and to inform the country and foreign countries, and, above all, our sailors, of the dangers alleged to be in those ships. I do not press Her Majesty's Government for an answer on the spur of the moment. The matter is far too serious to be made in the slightest degree a Party dispute of. Therefore, I do not wish to embarrass the Government by putting a question which they are not prepared to answer; but I think they will agree, and the Committee will agree, that it is a subject that cannot be passed over lightly, and I doubt that it will be possible for the Government to give a satisfactory reply without an inquiry. That subject outdistances in importance anything else that has been touched upon in these Debates. But there is one other matter upon which I should like to say a few words, and that is with regard to the gap the loss of the *Victoria* has made in our battleships. I think the gap made in the strength of the Navy by the loss of the *Victoria* has been treated too lightly by the Secretary to the Admiralty. In my opinion, the loss of one out of 22 battleships is a very heavy one. While the late Government placed a large programme before the country, we nevertheless felt we had not increased the Navy by one unnecessary ship. It was not a maximum programme. It was a fair programme; and I say that whatever may be the position of the Government at the present moment, the country will expect the *Victoria* to be replaced in the constructive programme of the future. I should like to reply to what the Chancellor of the Exchequer has said about the Naval Defence Act. I am perfectly ready at any time to have the whole argument of the Naval Defence Act out with the right hon. Gentleman. For my own part, I can say that there is no Act to which I have

been a party with the success of which I am more satisfied than that of the Naval Defence Act, and we have received it from the mouths of our opponents, for the right hon. Gentleman has given us the pleasing information that every ship included in that programme will be completed in the year 1894.

SIR W. HARCOURT: But not paid for.

MR. GOSCHEN: I have an answer to that retort. I am coming to it. It has been shown, therefore, that it is possible for the Admiralty, if carefully tied, as it is tied by the Naval Defence Act, to have done with mere fiddling with ships, changing and altering them in different directions, and really to carry out a programme. The Naval Defence Act has saved money and time, and it has been a complete administrative success. The Chancellor of the Exchequer says the late Government has left the present Board a legacy of two annuities to pay. Does the right hon. Gentleman know what was left to the late Government when they came into Office? There were left liabilities of £6,000,000 in uncompleted ships. The late Government left completed ships and two annuities of £1,400,000.

SIR W. HARCOURT: You diminished the Naval Estimates £1,000,000 in each year.

MR. GOSCHEN: Not since the naval programme was begun. What the late Board did in the two previous years has nothing whatever to do with the naval programme which we established. I did not intend to say a single word with reference to the Naval Defence Act, but that the Chancellor of the Exchequer made an unnecessary excursion into the past.

SIR W. HARCOURT: It was made by the right hon. Member for Ormskirk.

MR. GOSCHEN: The right hon. Gentleman says that we diminished the Estimate in the beginning of our Administration, and then established the naval programme. Does the right hon. Gentleman not know that the Administration, of which he was a distinguished Member, during its early years diminished its Navy Estimates; then *The Pall Mall Gazette* insisted on a naval programme, and the Navy Estimates were put up again? An example was, therefore, set us by the

previous Administration, who first diminished the Naval Estimates and then increased them. I am very sorry to trouble the Committee with this matter at all, but I could not allow the Chancellor of the Exchequer's statement that we left him two legacies to pass unchallenged. If we put on those annuities we at the same time put on the taxes to pay for them. If we left £1,400,000 to pay we put on special taxes—the Estate Duties—which, within £100,000, pay for these annuities. Therefore, what hon. Members opposite said in the country with regard to the late Government pledging the future and putting burdens on their successors was entirely wide of the mark, considering that we imposed the taxes necessary to pay for these ships. There is only one point more. As the hon. Member for Cardiff pointed out, we do not wish to force any large increase either in construction or expenditure upon the present Board of Admiralty. What my right hon. Friend here pointed out was that as the Estimates are drawn you will be put in this position: that you will have either to diminish your dockyard labour, or you will be obliged, in order to find work for them, to spend very largely on materials. In any case you will decrease the resources of our dockyards, instead of adding to the power of the country by building new ships. I do not think my right hon. Friend has put this matter unfairly to the Government, and his remarks have been reinforced by the hon. Member for Cardiff, who is an impartial critic of all Administrations.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham) said, that as a Dockyard Representative he wished to say a few words on this Vote. First of all, he entirely agreed with the complaint of the hon. Baronet the Member for Cardiff (Sir E. Reed) of the extreme inconvenience of the Minister in charge of a Department rising to make his reply before Members generally were heard. The consequence of that course in the present instance was that the Committee had been entertained with a great many Front Bench speeches, and that though this Dockyard Vote had been four hours under discussion not one single Dockyard Member had been heard. Before he came to the subject on which he particularly wished to address the Committee he

desired to protest, on behalf of his constituents, against the extreme inconvenience of postponing the discussion of these Votes until August. Of course, he was well aware that the Naval Dockyards were only suffering the same inconvenience as the other interests of the country—naval, military, commercial, and agricultural—owing to the insane attempt of the Government to force on an unwilling country their scheme for the destruction of the Empire. He was perfectly certain that not only dockyard constituencies, but other constituencies, resented this neglect of their interests, and that that resentment would be shown in no uncertain way at the next General Election. He had intended to speak on the classification of dockyards; but as the Chairman had previously ruled that that subject would more properly come under Sub-head B, he would only say that he entirely endorsed the complaint made by the Secretary to the Admiralty in the late Government in regard to the inexplicable delay on the part of the Government in presenting their Report on this matter. He had frequently urged this question on the attention of the Government, and had been assured on one occasion by the Civil Lord of the Admiralty that the Report would be out before Whitsuntide; but it was only now that the Report on this very important question had been placed in the hands of Members. His hon. Friend the Member for Preston (Mr. Hanbury) had surprised him by advocating the abolition of Sheerness Dockyard. His hon. Friend added that no doubt he, as the Representative of Sheerness, would be prepared to defend the continued existence of the dockyard. Well, he was prepared to defend its continued existence, though he had not for one moment thought that such a question would be raised as the abolition of Sheerness Dockyard, and still least of all that it should have been raised by an hon. Member sitting on the Conservative Benches, for it was not in accordance with Conservative policy. Some years ago the question was mooted whether it was possible to do away with Sheerness, and the answer then given by the late Conservative Government was that under no circumstances would they contemplate the removal of Sheerness Dockyard. That view had been endorsed by the present

*Mr. Goschen*

Financial Secretary to the Admiralty, for the hon. Gentleman had referred to the suitability of Sheerness for many purposes. If he had been completely unprepared to defend Sheerness he would have found ample reason for the continuance of the dockyard in the speech of his hon. Friend himself. What evidence had his hon. Friend brought forward in support of his contention that Sheerness should be abolished? The evidence of one gentleman, Mr. Elgar, who for seven or eight years had been Controller of the Dockyard. He did not dispute the capacity, the ability, or the energy of Mr. Elgar; but what had Mr. Elgar said about Sheerness? He said he was in favour of the discontinuance of Sheerness Dockyard, unless the Naval or Military Authorities said that it was necessary for mobilisation purposes in time of war. That was precisely what the Naval and Military Authorities did say about Sheerness, and that was a sufficient reason why the continuance of the Dockyard was absolutely necessary. His hon. Friend the Member for Preston had based his reason for the abolition of Sheerness on the statement that no ships were built there. If that were accurate it might be a reason for the abolition of the dockyard, but it was absolutely inaccurate. Not only had ships been built there, but at the present time some of the most useful vessels of the Navy were being constructed there. He thought that his hon. Friend, before he made a proposition of such importance, should acquaint himself more carefully with the facts, and arm himself with a little more authority than the authority of one official, whose utterances really were more in accord with his view than the view of the hon. Member for Preston.

\*MR. GOURLEY (Sunderland) said, he believed that in regard to Naval Expenditure the present Admiralty Board had no intention whatever of reversing the policy of the previous Government, although the Liberal Leaders when in Opposition had found considerable fault with the Naval Expenditure of the late Board of Admiralty, with this exception, that the so-called battleships and cruisers were to be larger—in his opinion a mistake. They also intended building six swifter torpedo catchers, whilst ignoring altogether the work of our neighbour in regard to smaller

craft. He thought the Government should take into consideration the necessity of providing the Navy with a number of these boats equal to the number possessed by the French Government, who had now 250 of them in use. It was stated the other day by the Secretary of State for War that it was impossible for the country to maintain more than one Army Corps. It, therefore, became more essential to maintain the Navy in a most efficient state, depending as the country must for power at home and abroad for supremacy upon its naval and mercantile superiority over that of other Maritime Powers. He was desirous of ascertaining, if possible in specific terms, the naval policy of the Government. Was their programme based upon comparative lines with regard to the strength of Foreign Navies? Had they thought out a programme for the naval offence and defence of the Empire, in all its ramifications and parts; and, if not, he should like to hear what was their policy? He would instance Channel defence and offence, and the protection of trade routes. Would the Admiralty indicate how the various squadrons had been told off and grouped for this purpose? Unless this could be done, he was bound to conclude that the Government and the Admiralty were without a system. He would like to know whether the nation possessed a Navy double that of France and another Naval Power? for upon this they had had no authoritative Return, save that issued the other day on the Motion of the late First Lord, which failed altogether to give correct information regarding the comparative force of this and other Maritime Powers. He joined issue with the Admiralty on their policy with regard to huge ships, which he regarded as a fraud and a delusion. The only purpose for which they could be employed in time of war was for coast defence. Before building more huge battleships the Admiralty ought to make further inquiry with regard to their machinery and vulnerability; but, in his opinion, it would be far better to devote the money which one of those vessels cost to building four smaller vessels of the cruiser class, with which, he believed, future battles at sea would be fought. For ocean fighting they must depend on swift protected cruisers, armed with quick-firing guns. He condemned huge

vessels and guns because of their complicated and delicate machinery. With regard to the range argument, battles were not likely to be fought in the future beyond the range of human vision, as in the Naval Manœuvres off Newcastle, where the Admiral reported that he shelled Newcastle at a distance of nine miles. The most recent opinion of the American Press was against these huge vessels, and the *Victoria* disaster made him think that in the event of war they would be nothing less than death-traps. Henceforth, instead of trying to build enormous unwieldy craft, whose only merit was thickness of armour, greater attention must be paid to speed and mobility. Thickness of armour only provided against one of the dangers to which a warship was liable, and the one which was steadily decreasing in relative importance—an attack by guns. The ram must hereafter play an important part in naval warfare. Why should they follow other nations in a policy condemned by experts at home and abroad? As the Power needing the first and most powerful Navy in the world, we ought to strike out a line of policy for ourselves instead of following nations with less experience than ourselves. All recent experience condemned the building of any more huge battleships, and pointed to the construction of ram cruisers and torpedo-catchers, not of the *Polyphemus* type—which had proved a failure in her design, unfit for sea, and useful only for coast defence—but rather of the type of the *Blake* and *Edgar*. As he had said, in the event of war huge battleships would prove to be nothing less than death-traps. Some of them only carry four days fuel; the proposed new vessels, at full speed, only six days. This meaning that every second or third day they would have to return to their base for coal. Coal at sea could only be supplied in smooth water, thus proving that for ocean fighting we must have a totally different type of ship.

\*Mr. GIBSON BOWLES (Lynn Regis) said, it would be felt by the Committee that there was a greater necessity for discussing the Navy Estimates and all that concerned the naval programme than ever there was before. Last year there was practically no discussion of the Estimates at all, which arose from

the situation that then existed. He did think when they came to discuss the Estimates of the year, and matters of so high an importance as the naval programme, they might to some extent be spared the irrelevancies of the Front Benches. They had had that night wrangles as to the merits of different Governments and different programmes, and they had had irrelevancies, more especially from the Chancellor of the Exchequer. He only wondered the President of the Board of Trade did not join in. He would only deal with one of the Chancellor of the Exchequer's statements, in order to show with what complete indifference, not to say contempt, the House might treat any statement regarding seafaring matters from one so little qualified to speak on such subjects as the Chancellor of the Exchequer. The right hon. Gentleman said that comparing the Navy of this country with the Navies of other countries we were far and away ahead of them, and he compared our vessels of 10,000 tons and over with, among others, the warships belonging to the United States of America. He might just as well have compared them with the vessels of Switzerland. The United States had not a single vessel of 10,000 tons, and they did not mean to have one. They were building two new battleships, but not one would reach 10,000 tons; therefore, when the Chancellor of the Exchequer came forward with all his magniloquence and asked them to compare their vessels of 10,000 tons with non-existent ones, all he did was not to bring a serious contribution to that Debate, but to show his ignorance of the subject he was talking about. In any battles of the future our part of the fight must be carried on on the enemy's coasts. They should not attempt to enter into an enemy's country, but should skin him alive on his outside—on his shores. By means of the Navy they could coerce an enemy in the very remotest corners in the land. In the last war with France, sugar was driven up to 7s. per lb. in France, whilst we could purchase it for 3d., 4d., and so on. That was what they wanted to do with the Navy—namely, to affect the material resources of the enemy. He did not care if he killed a few men belonging to the enemy, for if he made him pay 7s. per lb. for sugar he was his

*Mr. Gourley*



victim. Besides sugar, other articles of merchandise rose in proportion, which went to prove his position—that with the predominance at sea they could command and coerce the land without using soldiers or any elements of a war force. But what did they find in this maritime country, which was dependent upon its Navy? That whilst in the Estimates the Navy was put off with £15,250,000, the Army received £20,750,000, more than half the sum allocated, but, instead of that, the Army had devoted to it one-third more than was expended on the Navy. These proportions ought to be reversed. He did not say that they should settle a very long or continuous programme of shipbuilding, because every month witnessed very considerable improvement in shipbuilding and in the art of navigation. But the fact that improvements were constantly being made did not dispense us from laying down ships. Before going further he wished to say that it did seem to him that it was a pity the First Lord of the Admiralty did not sit in that House instead of in another place. If he were in that House he could deal with the matters relating to his Department. He trusted that before long the Secretary to the Admiralty would return to the House, as he wished that gentleman to hear what he had to say. He should be in his place to answer any questions put; but as he was not, and as he was the responsible Minister, he (Mr. Bowles) begged to move that Progress be reported.

THE CHAIRMAN: I cannot put that Motion.

MR. GIBSON BOWLES: In the absence of the Minister concerned with the Vote, I move that you report Progress, and ask leave to sit again.

THE CHAIRMAN: I have just told the hon. Member I cannot put that Motion.

\*MR. GIBSON BOWLES said, he had not understood that that was what the Chairman had said. He would, therefore, proceed, in the absence of anybody whatever competent to attend to his speech or to answer it. [At this point Sir U. Kay-Shuttleworth returned to his seat on the Treasury Bench.] The right hon. Gentleman said he wished to put the English Navy in a condition which would render it equal to any two other

Navies in Europe. As the right hon. Gentleman was now at last in his place he wished to remind him that he had distinctly committed himself to that view—that the Navy of England should be superior to the combined Navies of any two other countries. In that opinion the right hon. Gentleman told them he was supported by Vice Admiral Sir A. Hoskins, K.C.B. That was the view of the late Lord of the Admiralty and the present Lord, and how had they begun with regard to it? Had they now a sufficient superiority over the combined Navies of any two other nations? He could show that they had not; and that even if they had now, it was certain they would not have two years hence, assuming that the plan which the right hon. Gentleman had laid down were pursued. Fortune had diminished their Fleet by one ship, and the right hon. Gentleman had diminished it by another. They were not only deprived of the *Victoria*, but the Secretary to the Admiralty had announced that the building of the *Terrible* was to be abandoned. That left them worse off by two ships. He (Mr. Gibson Bowles) objected to putting too many eggs in one basket, and he did say that it was better to build three small vessels than two large ones. The right hon. Gentleman said he could not understand Members insisting upon the necessity of replacing one ship; but, behindhand as they were, and in view of the progress other nations were making, it was absolutely necessary that the *Victoria* should be replaced at the earliest possible moment. He could not forget what Admiral Hoskins had said with regard to the relative superiority in which they ought to stand. They must go on the same basis as before, but they should keep as far ahead as possible. The right hon. Gentleman said it was very easy for men in opposition to talk about a Supplementary Estimate for the *Victoria*. If the Secretary to the Admiralty came down to the House and asked for another £1,000,000 for the Navy he would get it without a dissentient voice being raised. Not a finger or voice would be raised on the Opposition Benches against it. In this country anything that the Government wanted for the Navy they could get. Let the right hon. Gentleman take heart of grace; let him come down tomorrow and tell them he wanted

£1,000,000 for another *Victoria*, and he (Mr. Bowles) would answer he should have it. He would answer for the House of Commons, because he was perfectly certain that nothing was easier in this country than to get any money that he reasonably demanded for the British Navy. The hon. Member for Cardiff (Sir E. J. Reed) had called attention to the cost of building ships of the *Edgar* class in the dockyards and in private yards. The *Edgar* was estimated to cost £364,000, but in reality it cost £401,000, while an exactly similar class of ship built by private contract cost £334,000. The hon. Member for Cardiff used these facts to show the hardship inflicted on the contractors; but he (Mr. Gibson Bowles) would use them in another sense—to show the enormous extravagance of the dockyards. He thought the time had arrived when we should take into consideration whether we had better not build all our ships by private contract. He could not conceive what answer would be given on this point. There had been extravagant expenditure in this case. The hon. Member for Cardiff alluded to the loss of the *Victoria*, and contended—as he (Mr. Gibson Bowles) contended—that after they had wept for the dead it was their duty to learn the lessons that were to be learnt from that awful catastrophe. He (Mr. Gibson Bowles) was rebuked the other day by the Secretary to the Admiralty for asking whose duty it was to call up the engineers and stokers on the *Victoria* when it was seen that there was imminent danger of the ship foundering. He was told his question was a reflection upon someone on the vessel. He now asserted boldly that it was the duty either of the Captain or the officer of the watch, or whoever was in charge of the ship, when the ship was in imminent danger of foundering, to call up all the men in the engine-rooms and stokeholds.

THE CHAIRMAN: The hon. Member is not entitled to discuss that question now.

\*MR. GIBSON BOWLES said, very well. He should pass to the question of construction. As he understood the system they had adopted, they had committed very grave and very fatal blunders with regard to the principle adopted of late in their battleships, and those blunders had almost all been copied from

foreign nations. They had gone exactly contrary to the rules of common sense with regard to their cruisers and battleships. They put all the weight on the top of the ship, and then they wondered that she “turned turtle.” Although the enormous increase in the weight of armour protected the men at the guns, as well as the crew generally and the machinery of the ship, they were left absolutely unprotected against what they feared most—the ram and the torpedo. He thought their object in naval construction should be to seek to develop the offensive rather than the defensive power of their ships. He would rather have a ship and weapons that could hit hard than one that would escape being hurt itself. He believed that what their sailors most valued was the power of hitting their enemies. That was the principle upon which they should proceed—giving that power; and he would impress upon the right hon. Gentleman the necessity of carrying out that principle. They ought to extend it as much as possible. There were one or two other matters which he should like to mention, but the hon. and gallant Admiral below him (Admiral Field), as representing the Navy, wished to address the House, and he would not detain them longer. He trusted the Government would see the necessity of allowing them to discuss these important questions at greater length than they appeared to be willing to grant on this occasion.

MR. W. ALLAN (Gateshead) said, he had listened with very great interest to the speeches which had been made on this Vote, and he had been interested especially noticing the number of Members who possessed information of a valuable character with regard to ship-building matters and naval architecture. One point that struck him occurred in the speech of the hon. Member for Preston (Mr. Hanbury). There was a very simple way out of the difficulty pointed out by the hon. Member with regard to dockyard management. The Government ought to make the dockyards tender for ships in the same way as private yards, and ought only to give them the contract if they were cheaper than such private yards. He would allow no repairing work to be given to dockyards unless the head manager

*Mr. Gibson Bowles*

gave a tender for that work. With regard to the hon. Member for Cardiff, he thought in his condemnation of certain classes of ships he was acting too much as a nautical Jeremiah. He (Mr Allan) would impress upon the Committee that if a ship were struck by a ram she was rammed, and her stability was destroyed.

SIR E. J. REED: No.

MR. ALLAN said, yes; she became like an inclined plane, and the working of her screw drove her down. A ship had foundered under him, and he had watched the process of her descent to the bottom.

\*SIR E. J. REED said, the ironclad *Vanguard* had floated for an hour after being struck; she only sank because the water-tight doors between the large engine and boiler rooms were open.

MR. ALLAN said, he presumed she was moving at the time?

SIR E. J. REED: Yes.

MR. ALLAN said, if the *Victoria* had been rammed suddenly while standing she would have gone down head foremost, and would not have tilted over. It was very easy to say that they should have vessels built one way instead of another. He would ask, what was to be done about the displacement? Would it be possible to get speed with increased displacement? They could not have everything in a man-of-war all at once—speed, and offensive and defensive power. They could only improve things bit by bit. That was all that any country could do. The junior Member for Sunderland (Mr. Gourley) was of opinion that the warships were far too big; but he (Mr. Allan) did not believe that—he thought they were not big enough. It was impossible to get a higher speed unless they increased the length of the ships so as to give room for the engines. The weakest spot in the Navy was the cramping of the engines into a small space in order to increase the speed. The future ships of Great Britain would be big ships, although they might be very difficult to handle. Now, what had been done under the Naval Defence Act? He looked at this matter, not from a Party point of view, but from a national point of view, and he considered that, their Fleet being their first line of defence, it ought to be invincible. What had the Act done for them? He found that under the Act there had been built 10

ships of 10,000 tons displacement, nine ships between 10,000 and 5,000 tons, 83 ships between 5,000 and 2,500 tons, and 18 ships below 2,500 tons. These figures showed, certainly, that a large number of small ships had been built under the Act. He did not wish to take up any more time. There had been a great waste of time—such a great waste that he almost shrank from intervening in the Debate; and he should not, therefore, detain the House for another moment. He cared not who sat on the Front Ministerial Bench; he cared not who was in Opposition; for his impression was that the soul of British patriotism lived with equal strength in the breasts of Members of both Parties. There need be no fear for the future of the British Navy whoever was in Office. The endeavour would always be to maintain the naval strength of this country equal to that of any two combined Powers in the world.

ADMIRAL FIELD (Sussex, Eastbourne) said, he was sure they were all greatly pleased by the remarks which had fallen from the hon. Member who had just sat down, than whom no one had had a wider experience and had a better right to speak on these subjects. Naval men, who remembered the hon. Member's career, were proud to think that he had been associated with them, and trusted that he would continue to give them the benefit of his commanding abilities. The remarks which had fallen from the hon. Member for King's Lynn (Mr. Gibson Bowles) he would not analyse. Much that the hon. Member had said he (Admiral Field) did not approve of. For instance, he did not approve of what the hon. Member had said as to the naval construction of big ships. Those remarks grated on the ear. Then the hon. Member was rather hard on the Secretary to the Admiralty for not being present when he (Mr. Gibson Bowles) was speaking. The right hon. Baronet was, no doubt, better engaged elsewhere—in the dining room. The hon. Member also expressed regret that the First Lord of the Admiralty was not in the House of Commons, but in the House of Lords. It was, however, not fair to complain on that head. There was no good reason why Members of the House of Commons should monopolise all the chief Offices of the State. The hon. Member had made

some ironical remarks about his (Admiral Field's) representing the Navy; and if he did not represent the Navy he did not know what on earth he represented. He could tell the hon. Member that naval men did not share his views. They were thankful to the Board of Admiralty, presided over by the nobleman referred to, and to the high-minded gentleman opposite and his talented colleague. No doubt the position of these gentlemen was difficult. The Secretary to the Admiralty had defended himself very ably from the remarks of the noble Lord the late First Lord of the Admiralty, though in a rather irascible manner. It was to be regretted that the right hon. Baronet had not more of the spirit of naval men, so as to be able to take the attacks of an opponent in good humour. Some important remarks had been made by the hon. Member for Cardiff (Sir E. J. Reed). The hon. Member complained that there were in the Navy 11 ironclads of the type of the *Victoria*—that was to say, with unarmoured ends. The hon. Member asserted that vessels such as this were dangerous to the lives of officers and men. Well, this was no new matter. The hon. Member himself had called attention to the subject before, and he had been answered before. The hon. Member made similar remarks when the *Inflexible* was being designed, and he was instrumental in causing the construction of that vessel to be postponed for many months. A Committee of experts were appointed to consider the question of the stability of the *Inflexible*. The Report was not in favour of the view of the hon. Member for Cardiff, but in favour of the ship being built according to her design.

SIR E. J. REED: But the Committee most earnestly urged the House to build no more vessels of the kind until great changes had been made; but the Admiralty did build more, and the *Victoria* was one.

ADMIRAL FIELD: They did not condemn the design.

SIR E. J. REED: They did.

ADMIRAL FIELD: No; they did not condemn the design, although they advised that no more should be built. As to the ships of the *Victoria* class, there they were. Did the hon. Member propose that anything should be done to make them better? Did the hon. Mem-

ber say that if there had been an armour belt round the *Victoria* there would have been any difference in the result?

SIR E. J. REED: If the vessel had had an armour belt there would have been 500 times the resistance to the inroad of the ram.

ADMIRAL FIELD said, of course, this was a question for the experts in naval construction, and he hoped the hon. Member for Belfast, who was so well qualified to speak on the matter, would give them his opinion. His own belief was that the impact of an immense vessel like the *Camperdown* going at six or seven knots an hour would be such that the vessel rammed could not survive. As a matter of fact, the ships were not built to stand collisions, but to resist shot and shell. This was the object aimed at, and it had yet to be shown that shot and shell going into the unarmoured ends of these vessels would compromise their stability. He did not think the remarks of the hon. Baronet would shake the confidence of the officers and men on board these ships. As everybody knew, they carried their lives in their hands when they went into battle, and everyone knew that no ship could be designed which would not endanger life in some form or other. As to appointing a Committee of Inquiry, he did not think that this was at all necessary, for we had long ceased to design vessels of this class; and, doubtless, the hon. Baronet would admit that the design of the first-class ironclads now left nothing to be desired. Coming now to the remarks of the Secretary to the Admiralty, he noted that the right hon. Baronet spoke of the present Board as preserving the continuity of our naval policy. He (Admiral Field) was not, however, satisfied that continuity was really being preserved. Lord Hood of Avalon, who had been quoted, advocated the carrying out of a progressive scheme of shipbuilding; but there was nothing progressive in the scheme of the Government, for of the three line-of-battleships spoken of two belonged to last year's programme. The right hon. Baronet deprecated Supplementary Estimates. Did he mean that there was to be no proposal to replace the *Victoria*? He believed the Naval Lords, if they could speak here, would say that the *Victoria* should be replaced. He should, certainly, hold that view

*Admiral Field*



until it was contradicted by the right hon. Baronet. The Naval Programme was certainly deficient in not taking into account vessels which were lost by accidents. Of course, in war time, if ships were lost it was expected that the enemy would suffer in proportion, and that, therefore, the balance of strength would not be disturbed. But vessels lost in time of peace should be replaced. The right hon. Baronet had laid much stress upon the value of that part of the programme which related to so-called torpedo-catchers, and he had said that the desire of the Admiralty to provide these vessels had caused them to postpone the building of a cruiser. They would not thank the right hon. Baronet for that. If the torpedo-destroyers were wanted so were cruisers. As to these torpedo-destroyers, the late manoeuvres had shown that so far those which we possessed were too slow for their work. He had heard that in one case a signal was made to the commander of a torpedo-catcher to prepare for higher speed in 20 minutes, which ought to have been ample time; but the answer signalled was—"I cannot do it; it will take me 40 minutes to prepare for higher speed." These vessels were valueless. They were admirable to look upon, but failures in practice. The reason, as stated by the hon. Member for Gateshead (Mr. W. Allan), was that they had not enough reserve boiler power. New torpedo-catchers of a superior type were needed; but he hoped that in constructing these the Admiralty would not confine themselves to one pattern, or carry out the work all at once. Naval men would rather see one or two constructed rapidly and tried before others were built. He remembered that 50 torpedo boats were built in a hurry from one pattern. When they came to be tried it was found that they were not fit to take to sea with their bottle-nosed bows, and all of them had to be altered at a heavy cost. With regard to the observations of the hon. Member for Preston (Mr. Hanbury), one or two of them had put his (Admiral Field's) back up. They had heard some of them before, therefore the matter was not new. The hon. Member was a reformer, no doubt, but he was anxious to reform what had already been reformed. His remarks would apply to the state of things which existed in 1884 or 1885;

but improvements had been made since then. He had talked about abolishing the Admiral Superintendents of the Dockyards—or rather the hon. Member had begun that way. He (Admiral Field) had looked at the hon. Member, and he had given up some of the remarks he had evidently intended to make. The earlier part of the hon. Member's view would be reported and the latter part would not, so that a false impression might be conveyed to the public, who were inclined to regard the hon. Member as the friend of the Services. He would ask the hon. Member to read the evidence of Sir James Graham, the Duke of Somerset, and other civilians, as to the desirability of retaining the Naval Superintendents. The hon. Member had proposed that they should dispense with Sheerness Dockyard. The great body of naval opinion, however, was in favour of retaining Sheerness Dockyard, as it was essential for purposes of mobilisation. They could not mobilise the Fleet in two harbours only—Portsmouth and Plymouth; they wanted Sheerness also. The hon. Member had also questioned the desirability of retaining Haulbowline Dockyard. Naval men would be in sympathy with Haulbowline. They were glad that it existed, and in war time especially it might be very useful for ships of the Navy, and even of the Mercantile Marine. A warship might find it very convenient to go there for repairs, and for this purpose it would be no difficult matter to transport shipwrights if necessary. With regard to the general question, they were told that the Government would not do more than carry out their general programme. Naval men desired to see the *Victoria* replaced. He did not feel himself competent to pronounce an opinion on the policy of the Admiralty in building the two enormous cruisers which they had heard about—the *Powerful* and the *Terrible*. It might be right. The Russians had two, if not three, such vessels. The French were, he thought, building two. Such vessels might, therefore, be necessary in the British Navy. He was glad that the Admiralty were making 45-ton guns instead of those of larger calibre, and making provision for a larger supply of guns which could be loaded by hand. He should like to hear the opinions of experts

as to whether the engines and boilers were sufficient for the work they had to do; and it seemed to him that where our ships failed was in being unable to carry sufficient coal. Another point which naval men were naturally anxious about was as to the reserves. When the present programme was completed—about 1895—this country would have about one-third more ships than the French, which was not enough. But a very strong opinion had been expressed that no time should be lost in placing our Navy beyond comparison with that of any two Powers. That, however, was not at all the standard which should be aimed at. It was simply a phrase. The true standard should be based on the work which our Navy had to do. This should be carefully thought out, and a programme arranged accordingly. Sir George Elliot had pointed out that we ought to have a reserve of at least 10 battleships and 10 cruisers; and Lord Nelson, who was supposed to know his business, had remarked, on leaving our shores, "Look to your reserves." It never seemed to have dawned upon the intellect of any Government that it was necessary to have reserves. But the experience of the last Manœuvres had shown that we must provide against losses. The torpedo boats had succeeded in torpedoing eight vessels; and if that could be done in the Irish Channel when every precaution was being taken to avoid it, what might not be done in war? He would here quote from an authority for whom hon. Gentlemen opposite would have regard. The late M. Thiers once expressed his impression of the naval enterprise and policy of this country by saying—"One ship lost, one ship launched." He evidently thought that this was our policy, and we should certainly make it our policy. They should have a certain well-determined standard, and never allow the Fleet to fall below it. We were dangerously weak in the Mediterranean. Russia, by some arrangement with France, was said to contemplate having a naval force in those waters, and it was also rumoured that France was going to make a naval port near Tunis. If this project should be carried into effect, and war should break out between England and France, if we had no reserve in the Mediterranean, it might become necessary for us to with-

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draw from there, falling back on Gibraltar, and leaving Malta to defend herself. He thought he was justified in complaining that not a single word was said in the Estimates about the new torpedo catchers, although those vessels were urgently wanted. There were many lessons to be learned by the late Naval Manœuvres; but the Chairman would stop him if he referred to some of them. He thought the Admiralty ought to commend the young officers in the torpedo-boats for the gallant way in which they did their work, especially Lieutenant Prowse. They had no doubt heard of that young officer, who in the late Manœuvres, by disguising men in a fishing boat, had torpedoed the *Narcissus*. He was told that the Captain was angry, and threatened to have the young officer put in irons. In his (Admiral Field's) opinion, however, the commander of the torpedo-boat deserved better treatment; he should have been invited on board, and asked to a champagne supper. The young officer claimed his prize, but was bullied into relinquishing it. There were not a sufficient number of torpedo-boats at Gibraltar or Malta. It was all a question of money; therefore they would only growl and accept the inevitable. He believed the right hon. Baronet opposite and his colleagues at the Admiralty were as desirous as he (Admiral Field) was of doing more, and would do more if they had the power. But their master sat beside them in the form of the Chancellor of the Exchequer; and, unfortunately, they might as well appeal to a rock as to the present Chancellor of the Exchequer.

\*SIR E. HARLAND (Belfast, N.) said, he objected to the Vote of £261,000 for the *Majestic* and the *Magnificent*, and in referring to those two vessels he must ask the right hon. Baronet (Sir U. Kay-Shuttleworth) to rest assured that he approached the consideration of the matter in no Party spirit. He should have made the same observations if he had been sitting on the other side of the House. As a matter of fact, he had not had the opportunity of expressing his views on this class of vessel, seeing that they were constructed under the Naval Defence Act, and were decided upon before he had the honour of a seat in the House. In addition to the reason afforded by the lamentable disaster which

had recently occurred, he thought he had abundant ground for drawing attention to these vessels. His objection to these two vessels which it was proposed to build was, first, that the vessels presumably would be built on similar lines to the other ships of the same class—that was to say, in the absence of information to the contrary—which he had done his best to obtain—he assumed that the lines of these ships would be similar to the lines of the others. He assumed that the coal bunkers would be arranged similarly to those in other ships of the same class, and considered such an arrangement extremely dangerous, because in case of collision it was almost impossible to close the watertight doors, and the ship would probably capsize. The next point he would call attention to was the ram of these vessels. An immense amount of money was spent in producing something which looked like a ram, but which was practically useless and not deserving of the name. As he had said, he had been unable to obtain precise information from the right hon. Baronet as to the coal capacity of these ships. The statements which had been submitted to the House with regard to these two ships were to the effect that good provision would be made in them for coal, and that they would carry more than the *Royal Sovereign*. Still, he had a right to assume, as no precise information was forthcoming, that the ships would carry no more than 900 tons. Assuming that that was the case, their coal supply would be only equal to three days' full steaming, or 1,260 knots, which would mean arriving at Gibraltar or at Riga with empty bunkers. He considered that, having regard to the services which our Fleet might be called upon to render, it was necessary that the vessels should have a greater coal capacity than this. One of these ships on reaching Riga would be absolutely useless unless followed by a number of colliers of equal speed with herself. It seemed to him that such a vessel should be able to steam at the rate of 17 knots to Malta, consuming 1,350 tons, and should then have one day's coal in her bunkers. She should be able to steam to Cronstadt, consuming 950 tons, and should then have two days' coal in her bunkers—sufficient to enable her to assume the offensive or defensive. At 15 knots she should be able to go

to Halifax, consuming 1,200 tons, the donkey engines and electric engines all having their supplies. She should arrive at Halifax with one day's coal in her bunkers. She should, therefore, be able to carry 1,550 tons, whereas provision had only been made for 900 tons.

\*SIR U. KAY-SHUTTLEWORTH said, the hon. Baronet was mistaken in supposing that capacity was only provided for 900 tons. That was the capacity on the designed load-draught.

\*SIR E. HARLAND said, that when they were handed a specification in which it was stated that the ship's draught would be 27½ feet, they presumed that that would be the draught when the vessel was loaded and equipped ready for service, and he held that such a ship was not equipped and ready for service with only 900 tons of coal in her bunkers.

\*SIR U. KAY-SHUTTLEWORTH said, the arrangements in these ships were different to those made in the older vessels. They would be able to carry a much larger quantity of coal.

\*SIR E. HARLAND: How much more?

\*SIR U. KAY-SHUTTLEWORTH: I cannot say at a moment's notice.

\*SIR E. HARLAND said, he had asked questions on the subject at question time to-day, and was sorry that he had not been able to obtain the information he sought. He had been obliged to reason the matter out for himself. If more coal was put into the vessels, unless they were increased in size, they would be sent to sea in a very inconvenient condition.

\*SIR U. KAY-SHUTTLEWORTH said, the only result would be that the vessels would be a few inches deeper in the water.

\*SIR E. HARLAND said, his contention was that the vessels should carry 650 tons more coal; and if the right hon. Baronet thought that that would make a difference of only a few inches in the draught of the ships he was very much mistaken. It would make a difference of over two feet. To carry 1,550 tons, instead of 900 tons of coal, the bunkers of each ship would have to be two-thirds larger than was intended. 8·7 feet in the length of the ship ought to give a carrying power of 290 tons, or one day's supply, so that if they increased the

length of the ship by  $19\frac{1}{2}$  feet, it would give them 650 tons—or, say, 20 feet, which would give an additional coal capacity of 666 tons. If the amount of coal which appeared to him to be necessary were carried, and the length of the ship were increased by 20 feet, that would make the dimensions 410 feet by the 75 feet proposed. They could not place too much importance on this matter of coal. He could imagine one of these vessels with a number of torpedo boats and torpedo catchers all looking to her, like young pigs to a sow, to provide them with coal. Such a ship could not expect to be followed at a speed of 17, or 15, or even  $12\frac{1}{2}$  knots by a fleet of colliers. These vessels must be their own colliers. They could not imagine a more lamentable thing than a splendid ship of this kind with empty bunkers. Her position would be pitiable. She would be at the mercy of the enemy to be rammed at leisure, and would be treated practically as a conquered vessel. He thought, therefore, that of all measures taken to insure the safety of battle-ships, that of making provision for giving them an ample supply of coal was the most important. Without steam these vessels were mere logs in the water. They had no masts; only something in the nature of a pole for signalling purposes. Could they conceive anything more helpless than one of these ships would be, in the presence of an enemy, with empty bunkers? It might be said, as an objection to increasing the length of these ships, that heavy cost would be entailed. Then make them, say,  $420 \times 73$ —with six inches less draught. They would be better seagoing vessels—steadier and able to make much better weather. But coal, and to spare, in the bunkers should be the first consideration. He spoke especially of bunkers, because they had been told that other vessels of this class had spaces near the bunkers where they could stow large quantities of coal. Well, setting aside the fact that that would make the vessel draw more water, imagine the condition of a ship with these various outlying holes filled with coal coming into collision, or meeting with an accident which would render it necessary for the officer in command to order the watertight doors to be closed. All these bunkers would have watertight doors between them and the stokeholes, and

these various outlying holes would have the same. If the order were given "Close bulkhead doors," what would it mean? Why, that the stokers would be able to get no more coal; and if the ship were on the offensive or defensive, in a few hours she would be helpless. What should be done? They should arrange the bunkers in the way in which they were arranged on merchant ships, where there were bunker doors letting the coal out of the bunkers into the stokeholes; but those doors had nothing to do with the bulkheads of the ship. Unless they had bunkers of the proper size, and properly arranged, there would soon be melancholy results to chronicle. He could not emphasise too strongly the importance of this coaling question. It was absurd to suppose that a large ironclad could always count upon re-coaling in the open sea. The operation was difficult in fair weather, but a ship might be in the centre of a fleet of colliers without being able to obtain a single ton of coal if there was anything like a sea on. It was foolish to suppose that slow-going colliers could keep an ironclad supplied with coal at sea. Even when the difficulty of coaling at sea could be overcome the supplies would have to be obtained from quick-sailing merchant ships; and, instead of its being said that the Royal Navy protected the Merchant Service, it could then be said that the Merchant Service protected the Royal Navy, because the coal which the merchantmen would bring would be far more useful to the man-of-war than shots in the locker. For his own part, he would rather have a ship with plenty of coal, but without powder and shot, than a ship fully armed, but with empty bunkers. In the former case the vessel could use its ram, but in the latter case the ship would be at the mercy of the enemy. With regard to short ships—a point the hon. Member for Gateshead touched on—they had got into the fashion of designing ships as short as possible, forgetting that the shorter they made them the more they would cramp the engines, the boilers, the turrets, the bunkers, and the stores. They injured the sea-going qualities of the ships in the attempt to make them as nearly round as possible. The hon. Baronet opposite (Sir E. J. Reed) had had experience of building a round ship,

*Sir E. Harland*



so that in this country we were not likely to hear much more about them——

SIR E. J. REED : I do not know what the hon. Baronet refers to.

SIR E. HARLAND : I was under the impression that the hon. Baronet designed the round vessel for the Russian Government.

SIR E. J. REED : I had no more to do with it than the hon. Baronet himself.

\*SIR E. HARLAND said, he was sorry he had made the mistake. With regard to rams as at present constructed, he thought they were not fit for their purpose. They could not have a better illustration of this than the condition of the *Camperdown* after its unfortunate collision with the *Victoria*. Although these ships were going at slow speed, the result of the *Camperdown* ramming the *Victoria* was that she nearly sank herself. In warfare, in all probability, the ram would be used at a speed of 12 knots. At such a speed as that the blow given to the *Victoria* would in all probability have been fatal to the *Camperdown*. He saw no mechanical difficulty in the way of designing a ram which, with perfect safety to the vessel carrying it, would enable a ship to send half-a-dozen ironclads to the bottom in a day. At present the ram was a steel snout, weighing perhaps 150 tons, but without the necessary backing. He would suggest that better designs should be adopted ; also that the Admiralty should utilise some of our old wooden men-of-war now lying in a tidal harbour by placing 2-feet thick armour on their sides and then construct a ram that would penetrate that armour without damage to the ram. Until they put their ram to that test they would never construct a satisfactory one. They spent hundreds of thousands of pounds in constructing ships with rams, all of which were really worse than useless for ramming purposes. They built their torpedo boats with bottle-nosed rams. Not only did this interfere with the sea-going qualities of the boats, but as to the utility of the ram, if they ran into an old 200-ton wooden collier, they would merely crush themselves up. A man might just as well run full tilt at a wall with a thimble on the end of his nose and imagine that it would save his face. He would urge the Government not to put rams of the old design on the new vessels they were about to construct. He

did not wish to disturb the programme which the Admiralty had set themselves to carry out ; but if it were practicable, he should like to see them build a pure and simple ram. They had one—the *Polyphemus*—but it was a wretched attempt, which did not deserve the name of a ram. Let them build a perfect ram, and, for once, ignore the idea of powder and shot. Let them see what they could do with such a vessel. So sanguine was he as to the value of such a ship that he would undertake with a good ram to destroy more of an enemy's ships than the heaviest armed ironclad afloat could destroy with shot and shell. That brought him to the very lamentable disaster, the recent loss of the *Victoria*. In ramming the *Victoria* the *Camperdown* should have received no injury whatever, as she was only going at five or six knots an hour. That was very slow speed—merely drifting. The results of the collision showed the tremendous momentum acquired by these battleships ; and a ram going at 15 or 16 knots ought to crush through an armour-clad, even if its armour were a couple of feet thick, without those at the stern of the ram knowing what had happened. In fact, the enormous iron plates, which were a protection against shot and shell, would only make the case of a vessel that was rammed worse. The armour-plate a couple of feet thick, which would stand a shot from a 100-ton gun, would be simply crushed in at once by a blow of a ram. He therefore thought we were not yet sufficiently impressed with the importance of the ram as a weapon of war. The plating behind the ram of the *Camperdown* was so thin that it was burst in by merely scratching against the *Victoria*. The hon. Member for Cardiff said that if these vessels were cut into by a ram they were bound to capsize. But the *Camperdown* only settled a little at the bows, but without any list.

\*SIR E. J. REED said, the *Camperdown* had not been run into, and that he had never declared that an injury to the stem of a ram before the collision bulkhead would mean the capsizing of the ship.

SIR E. HARLAND said, it depended entirely on how the vessels were arranged.

SIR E. J. REED : Do you know how they are arranged ?

SIR E. HARLAND : No.

SIR E. J. REED : Well, I do.

\*SIR E. HARLAND: I know how they ought to be arranged. The hon. Member, continuing, said, that at any rate he did not hesitate to say that the watertight doors played an enormously important part in the matter. The House had not yet been given the most important information about the sinking of the *Victoria*, and that was information as to the condition of the bulkhead doors. The *Victoria* went to the bottom entirely on account of something being wrong with the bulkhead doors. His own impression was that the order to close the doors was given in what would have been sufficient time for the closing of modern bulkhead doors, but was not sufficient for the closing of the old doors of the *Victoria*. There were doors which were capable of being closed instantaneously; and it was lamentable that the Admiralty should not have adopted those doors or have inquired into them. For 18 years the Admiralty had had opportunity for seeing how such doors worked; and if those doors had been on the *Victoria*, he had no hesitation in saying that she would have been afloat to-day. The injury received was not sufficient to sink the vessel, and she had no business to sink. It was not fair to the House of Commons that while all the evidence at the Court Martial on mere matters of discipline should have been put before Parliament, everyone was kept perfectly ignorant on the most vital question of all—that of the condition of the bulkheads. For some years past great stress had been laid on the advantages of side bunkers filled with coal. It was said that they were admirable shot protectors. He wished to know whether experiments had ever been made with projectiles through chambers representing side bunkers in a ship filled with coal, and whether the coal in those chambers offered the slightest resistance to such projectiles? His own impression was that coal was the poorest article that could be used with which to keep out water or turn a shot; and that something of a spongy character, such as india-rubber, or even shavings, would be much more effectual for the purpose than coal, which surely could offer very little resistance to shot or serve to stop the inflow of water.

MR. WOLFF (Belfast, E.) said, he did not intend to detain the Committee long, as most of the matters on which he

had intended to speak had been dealt with by his colleague in the representation of Belfast. He did not agree with the statement of the Financial Secretary to the Admiralty as to the amount of coal consumed by a war vessel. He thought the amount very much understated. He expressed his approval of the designs of the new cruisers. They were the best things he had ever seen designed by any Government in power, and he hoped they would be proceeded with as soon as possible. The Secretary to the Admiralty had also said that the cost of vessels built in the dockyards was less than that of vessels built by private firms. He ventured to think, however, there must be a considerable difference in the incidental expenses of the public and private yards. Indeed, the hon. Baronet the Member for Cardiff (Sir E. J. Reed) had pointed out that these incidental expenses ranged from  $2\frac{1}{2}$  to 20 per cent. When a private firm got a ship from the Admiralty to build, a certain number of Inspectors were sent down. The private shipbuilder could not do a single thing without consultation with the Inspector, and in nine cases out of ten the Inspector did not know what to do, but had to get an answer from somebody else at headquarters, and the result was frequent delays and unnecessary expense. Again, there was hardly a private manufacturer—at all events, those in a large way employing skilled hands—who did not pay the ordinary wages approved by the Trade Unions? That, he believed, was not the case in the dockyards.

THE CHAIRMAN: Order, order! The hon. Member is not referring to the Amendment under discussion. It is not in Order to deal with the wages on the present Vote.

MR. WOLFF said, he thought he was straying a little; but then the discussion had strayed a good deal already. The only other matter he wanted to touch upon was the torpedo-catchers. He asked whether these catchers could not be so improved as to enable them to catch torpedoes?

MR. ARNOLD-FORSTER (Belfast, W.) said, he trusted his right hon. Friend the Secretary to the Admiralty would not regard him as a public or a private enemy for interposing in the Debate. He said that, because it had been his duty last week to ask a few questions in regard to these matters on which he should

say he had not yet got the information he required ; and his right hon. Friend, in replying to these questions, insinuated that he was rather trespassing on matters with which he had no connection. He assured his right hon. Friend that his only desire in asking these questions was to obtain information, and not to criticise in any way the conduct or action of his right hon. Friend. He did not speak without book in these matters, because for many years he had been brought into close relations with the dockyards, and had given them his most careful study. Something had been said by the Chancellor of the Exchequer about the Naval Defence Act. He was not going to discuss the question on general principles ; but he said that anyone who looked at the Navy from his point of view must consider that the Naval Defence Act was the greatest boon ever conferred on the Navy. It was true that the expenditure of £11,000,000 under the Administration of Lord Northbrook was a great boon to the Navy ; but it was not to be compared to the Naval Defence Act, and it would be most unfair to suggest that the country had not reaped permanent advantages from the improvements made in the Navy. Again and again the necessity for a fixed and definite programme had been made evident. The Chancellor of the Exchequer had remarked that there never had been a time when the forces of this country were more fit to be compared for efficiency and power with the forces of other nations. That statement, however, was not based on fact. He challenged the right hon. Gentleman to put the question to any naval authority of the country with a knowledge of the conditions of Foreign Navies. He was sure the right hon. Gentleman would get for an answer that he could hardly have made a statement on the Navy more contrary to recorded and obvious facts. The facts were—he took them from the Return furnished to the House by the Secretary to the Admiralty—that we had now built or were building 60 ironclad ships ; but France and Russia combined had 70 such ships. So that we were within reach of the date when we would see ourselves outnumbered by those Powers to the extent of 10 ships. Of ships in commission Great Britain had 27, and France and Russia combined had 29. In face of those facts

he maintained it was the duty of the Admiralty to take immediate steps to replace the *Victoria*. The Secretary to the Admiralty had said that it was not an easy matter to come down to the House and submit Estimates to replace the lost ship. The right hon. Gentleman had got a straight and satisfactory answer from the noble Lord opposite (Lord G. Hamilton). The noble Lord had said that it might be hard, but that it was a thing that could be done, and a thing that had been done. He believed that if they had had the information the day he asked his question, the right hon. Gentleman would have found that the opinion of every naval man was that the right thing to do was to ask the House for £1,000,000 sterling for a ship to take the place of the *Victoria* ; and he was convinced that if a statement of the true facts of the case were made, there would be no difficulty either with the House or with the country to repair the great loss which had been sustained by the sinking of the *Victoria*. The other day he asked the Secretary to the Admiralty how many ships had been begun by the present Government ; and, though he would be the last person in the world to suggest that his right hon. Friend would mislead anyone, the answer he received was most misleading to the House and to the country. He was told that 13 ships had been begun since the present Board entered Office. The fact was that two ships, and two only, were in any way due to the initiative of the present Government, and even they were small torpedo boats of 200 tons each. The *Renown* was a ship for which money was taken by the last Government. They were told that it was laid down on the 1st of February ; but, as a fact, prior to the commencement of the financial year no less than £14,500 had already been spent on the *Renown*. She ought to have been begun at the end of last year ; but owing to the dilatoriness of the present Government she was not taken in hand. Then there were five other ships which it was claimed were commenced in the present year, and yet in the previous financial years sums varying from £13,000 to £15,000 were voted and expended upon them. All these matters should be capable of Departmental explanation. There were three great cruisers, the *Minerva*, the *Talbot*, and the *Eclipse*, supposed to have been begun by the present Govern-

ment, whereas the appliances had not even been laid down for them. They were not commenced in the ordinary sense of the word. He believed he might truly say that in the whole naval history of this country a twelvemonth had never before gone by when nothing had been begun for the Royal Navy by the Government in power. He spoke the other day about the deep-sea harbours on the other side of the Channel. He mentioned them now because they were ancillary to the great scheme of construction which the French Marine were about to carry out. In the harbours of Brest and Dunkirk nests of torpedo boats were to be located, and they were protected and organised in a wonderful way. We had only made one attempt to respond to that method of offence on the part of France. We had built a large number, too large a number, of torpedo-catchers, but there was not a single one of those vessels which would run 20 knots. He had taken great pains to get information on that point. A large number of them would not, on the average, run 14 knots, and they had been an almost absolute failure. Their boiler power was quite inadequate, and until their boilers were replaced, or the ships replaced altogether, we were absolutely without an answer to the great torpedo attack with which we were threatened in the Channel. He wished to see somewhere in the Estimates some provision made for altering these torpedo-catchers. He had never been able to see that this country was too poor to get what it wanted in the way of naval construction. These torpedo-catchers were wanted and cruisers as well, and he did not think the Government had a right to refuse them until the House of Commons had said that the country was not rich enough. He trusted that the Government would persist in its intention to build two cruisers, and that it would reconsider the question of abandoning the construction of the *Powerful*. A Return had been presented to the House, the most remarkable portion of which was the financial summary at the end. This Return showed the dangers to this country and the responsibility which it incurred, the tonnage afloat, the value of the sea-borne commerce, and the expense, not only to this country, but to other parts of the Empire, of our sea protection. He feared that England was in danger of

losing the commanding position it had occupied, and of falling back into a kind of naval slough from which the Naval Defence Act, so long as it had been in operation, had fortunately dragged it.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, he was sure that hon. Members who had been in the House during the past two hours had derived great advantage from the speeches delivered by the hon. Member for Gateshead (Mr. W. Allan) and others. The hon. Gentleman who had just sat down had brought a very serious charge against the present Board of Admiralty, because, if his statements were true, he had proved that the official Representative of the Admiralty had claimed that 13 new ships had been laid down by the present Board, thus leading the House to assume that these vessels were due to the initiative of the Government, whereas they were in great part included in the old Naval Programme. It was perfectly plain to anyone who had watched what had happened with regard to naval construction that the Treasury had completely overmastered the Admiralty. The Chancellor of the Exchequer, for reasons which might seem to be excellent to the Government, had controlled the Admiralty, and the result was that practically the construction of no new ships of any size or importance had been undertaken. No new battleships and no new first-class cruisers had during the year been laid down by the Government. Of course, he was not speaking of vessels included in the Naval Programme of 1888. The two principal questions that had been discussed were the question of whether the present strength of the Navy was inadequate, and the loss of the *Victoria* and the practical destruction of some of the ships intended for ramming purposes. In reference to the practical construction of our ships, he held that the Navy at the present moment was below its proper strength, and the Mediterranean Squadron was below its proper strength, and that that deficiency had been increased by the loss of the *Victoria*. They had the other day an event of great significance, which, so far as he knew, had never occurred before. A powerful French Fleet went round the ports of the Levant, visiting Alexandria and Smyrna, among other places. In point of numbers that Fleet, he believed, was equal to our Mediterranean Fleet, and, in addition, there was a



strong reserve squadron at Toulon. What did that mean? Every circumstance showed that there was on the broad lines of policy a close understanding between the two great Powers with whom if we were ever involved in troubles abroad—and it was to be hoped the day would be long postponed—we might expect to be engaged more than with other Powers. They knew that the Russian Fleet in the Black Sea had been enormously increased of late; and, at the same time, they saw a powerful French Fleet cruising round the Levant. What meant that? In the event of an outbreak of hostilities in the Mediterranean, where at present the centre of naval gravity was established, we should be obliged for a time to abandon our position, and concentrate our naval forces at Gibraltar until reinforcements arrived. That was a serious question, requiring close attention on the part of the Admiralty, and when they found a Government in power 12 months without laying down a single battleship, and resting tranquil and unmoved under the loss of one of its largest and most powerful battleships, it was time to consider whether some steps should not be taken to remedy the indifference, if not worse, of the Government. The only answer that had been given to the complaints with regard to the loss of the *Victoria* he ventured to characterise as most puerile. The First Lord in another place stated that the loss of the *Victoria* was not to be met by a Supplemental Estimate, because it would be ridiculous to assume that the power of the British Navy would be seriously impaired by the loss of a single ship. The same answer had been given that night, and he could only say that it was a childish, inadequate, and absurd statement. Everyone knew that the Navy was not too strong, and that the naval programme of the late Government was not too great. It was a great advance, and it was made to counteract and correct the long period of neglect between 1868 and 1874, and between 1880 and 1884, when the Navy was allowed to sink far below its proper strength; and when a battleship, representing 4 per cent. of the ships of the Fleet, was lost, the only proper answer why it should not be replaced would be to show that without it we should be in no serious danger when our Navy was compared with those of France and Russia combined. He quite

agreed as to the importance of an inquiry into the causes of the loss of the *Victoria*. That was a question which ought to be thoroughly sifted. The hon. Gentleman the Member for Cardiff (Sir E. Reed), who spoke with the authority of a Naval Constructor, had made a series of significant and important statements on the subject. He did not say he agreed with all these statements. They were questions on which experts differed, but they were very grave questions which must affect a large number of our ships and the confidence of our sailors, and it was, therefore, of extreme importance that inquiry should take place. With regard to the policy of the Admiralty in building two new large cruisers, the question was an open one whether or not it was wise to expend their money on great ships which were practically unarmoured. What they wanted at this moment was what the country wanted in 1888—namely, a definite and progressive naval programme. The programme of 1888 was practically exhausted. A great effort had been made to place the naval strength of this country on a proper footing, or, at all events, on a greatly improved footing. A great sum of money was voted for the purpose, and was spread over a number of years, so that they got a maximum of result with a minimum of expense. That policy had been reversed. The present Government had really no policy, no definite programme. They were simply making a show of building ships, whereas they were doing nothing. They were putting off the provision of new ships and the settlement of a new programme for another year, in the hope that something would turn up. They were allowing the supposed exigencies of the Budget to overcome the necessities of the Navy. The Admiralty had been mastered by the Treasury. The proportion between labour and material, which was so important, was not being observed, and the result was that the present Administration were laying up a great store of difficulty for themselves. He did not agree with the criticisms of the hon. Member for King's Lynn (Mr. Gibson Bowles) on the subject of large ships. He believed that as in the past so in the future, the naval supremacy of countries would be decided by the big ships. Cruisers, of course, were of the greatest importance for the protection of commerce, and for

the keeping up of communication, and for no country were they more important than ours; but, undoubtedly, the Power that would command the seas in future would be the Power that had a predominance of battleships, and in view of that fact he maintained that the present naval policy of the Government was wholly inadequate.

\*SIR U. KAY-SHUTTLEWORTH: I am sure we are greatly indebted to the hon. Gentleman who has just sat down for giving us a forecast of the kind of speech he intends to deliver on the various platforms of the country, a speech with a good deal of rhetoric, but a very small amount of accuracy.

SIR E. ASHMEAD-BARTLETT: Will the right hon. Gentleman be good enough to point out the inaccuracy?

\*SIR U. KAY-SHUTTLEWORTH: I will pass from him and come at once to some important speeches, and first to the speech made by the hon. Member for Cardiff (Sir E. J. Reed). I confess I regret the lengths to which the hon. Member went. The hon. Gentleman mentioned a list of ships in the Navy which he described as being dangerous ships. I will not use all the language he applied to them.

SIR E. J. REED: I said that they had the same material defect as the *Victoria*, and that they would behave as she did under such circumstances.

\*SIR U. KAY-SHUTTLEWORTH: Quite so; and that is a very grave accusation. My hon. Friend stated that what happened in the case of the *Victoria* was what every Administration had been told would happen. I must remind the hon. Gentleman that the accusations he brought forward on previous occasions against the ships were not that they would capsize if pierced below the protective deck—far below the water line—by a ram, but the objections he brought forward were to the effect that shell fire on the upper part of the unarmoured structures would cause the vessels to sink. These objections were the subject of an investigation by a Committee at the Admiralty, presided over by Admiral Hope, including Dr. Woolley, Mr. G. Rendel, and Mr. Froude. There is nothing new in the matters which the hon. Gentleman has brought forward to-day. They were fully considered at that time by that Committee; therefore, I think I may be excused from going into them now. I

am perfectly prepared to do so if it should be thought desirable, but I only point out to the Committee that the objection taken in the year 1877 by my hon. Friend the Member for Cardiff was an objection totally different from that which he is now endeavouring to tell the Committee he has long entertained.

SIR E. J. REED: I used no authority of my own. I read from *The Standard* newspaper, which distinctly stated my complaint was that on the occasion of severe injury to the unarmoured ends of ships they capsized. The right hon. Gentleman is completely misrepresenting my argument.

\*SIR U. KAY-SHUTTLEWORTH: Then I shall have to quote from the hon. Gentleman himself. This is the letter upon which the proceedings of the Admiralty and the Report of the Committee had their origin. It is signed "E. J. Reed," dated May 16th, 1877, and is to Mr. Barnaby. What the hon. Gentleman then stated was this—

"After what has passed between us, I need hardly say that my objection is confined strictly to the point that, whereas you believe the cork chambers with the cork in them will remain more or less intact during a protracted action, I fear and believe that, exposed as they are to the attack of the enemy's shell fire, they would be speedily and completely destroyed, and in that case the ship's stability would be gone, and she would capsize."

That was the objection which my hon. Friend at that time urged to these ships. That question was fully investigated by the Committee. I have their Report here, and it will be found among the Papers presented to Parliament in 1878. I decline, therefore, to go into that old controversy. The hon. Baronet opposite, the Member for Belfast (Sir E. Harland) has contributed a very valuable and interesting speech to this Debate. He pointed out certain facts which, I think, are somewhat overlooked by my hon. Friend the Member for Cardiff. The first of these points was the immense energy of the blow which was struck by the *Camperdown* on the *Victoria*—such a blow as was probably never before struck by one ship upon another. The energy of that blow was such that the hon. Baronet alleges—and I think there will be many who will agree with him—that even if that end of the ship had been armoured down to her keel, or the blow had been struck upon armour instead of being struck on the unarmoured part

of the ship below the protective deck, still the armour would have been smashed in, and the ship would have received the wound she did, or something very much like it. There is a good deal of evidence in support of that view. The *Vanguard* and the *Grosser Kurfürst* were both armoured ships, and in both these cases that happened which happened in the case of the *Victoria*, and both ships went down. It should also be remembered that the spur or ram of the *Camperdown* penetrated some feet into the hold of the *Victoria* through her thin plates. This wound below the protective deck was inflicted before ever the upper part of the stern of the *Camperdown* could strike the part of the *Victoria's* side which an armour belt would have protected, according to my hon. Friend (Sir C. Reed). I do not want to enter into details. We have not yet before us the full facts in respect to what actually happened in the case of the collision between the *Camperdown* and the *Victoria*. The evidence only reached this country on the 5th of August. That was on the Saturday before the Bank Holiday. It was only, therefore, on the 8th August that it was possible the evidence could be taken in hand; and owing to the necessity for its being examined in manuscript by the officials at the Admiralty before it could be passed on to the printers, it has not yet reached even the members of the Board. Until we have that printed, until we have examined the voluminous evidence and seen a Report upon that evidence from the experts of the Admiralty, it is impossible for the Admiralty to say exactly what kind of an inquiry shall take place. That the Admiralty will inquire very thoroughly into the subject the Committee need have no doubt. So serious, so disastrous, so deplorable an event as the loss of this great ship, and the large number of lives which were unfortunately sacrificed, cannot take place without the Admiralty feeling that heavy responsibility rests upon them, and that responsibility, I can assure the Committee, they will discharge. Whether a further special inquiry will or will not be necessary we cannot decide until we have studied that evidence and until we have the Report before us. When we have considered and decided that matter we shall give the earliest information to the House. I noticed with pleasure that the right hon. Gentle-

man opposite, the late Chancellor of the Exchequer (Mr. Goschen), said he would not press the Admiralty as to the mode or time or exact nature of the inquiry, and he only urged the necessity of an inquiry. That necessity is recognised by the Admiralty; but we do claim complete freedom according to the facts which we shall ascertain as to the exact mode, time, and nature of the inquiry. I will gladly pass from this subject to the other points mentioned in the course of the discussion. I am sorry, on account of the time at my disposal, that I shall only have to deal with them very cursorily. It is a little difficult to meet the wishes of all hon. Members. If I intervene early, complaint is made that the Representatives of the Government occupy the whole time, and if I intervene at a late stage the limited time will not permit me to answer fully all the points that have been raised. The hon. Member for Cardiff asked me some questions about the expenditure on the *Edgar*. He very kindly said he would communicate with me, and I will take care that he shall receive the information he asks for. But there were some fallacies in the points he brought before the House which I will clear up now. First of all, the Dockyard Estimate was not in existence when the tenders for the contract ships were received. The hon. Member thought we had this higher Estimate in our hands when we accepted these lower tenders from the contractors. That is not the case. Then with respect to the extras, as to which he seems to think we have treated the contractors rather hardly. I have to inform him that the extras were adjusted item by item on the basis of prices asked for each item by the contractors. However, I will gladly give him all the particulars he desires. The hon. Member for King's Lynn (Mr. Gibson Bowles) referred to the *Crescent* in connection with the dockyards, and he treated the *Edgar* and the *Crescent* as sister ships. I should have thought my hon. Friend, with his great naval knowledge, would not have fallen into that mistake. The *Crescent* is one of the *Royal Arthur* class, and is a vessel of 7,700 tons, whereas the *Edgar* is a ship of 7,350 tons. If he had carried his eye one line further in the naval programme contained in the Estimates he would have found these figures. The hon. Member for Sunderland (Mr. Gourley) made a

few strictures upon the policy of the present Board; but I observed that he agreed with us on important points, and he congratulated us on not binding Parliament to a programme stereotyped in advance. He asked me a number of questions with respect to Naval Defence ships, which were rather of a character which would be better given on paper than by word of mouth. Meanwhile, I can assure him that the ships completed are not consigned to any limbo, but are either in commission or in the Fleet Reserve, so that in the event of emergencies they can be placed in commission in the smallest space of time. He further asked me whether in laying down our programme we adopted the definite and understood view that our Navy should be equal to that of two Powers combined. I have already answered that question earlier in the Session. There is no difference between us and the late Board on that subject, and we certainly hold that the British Navy should be equal to the combined Navies of two foreign Powers. I do not think my hon. and gallant Friend opposite (Admiral Field) has left me a great deal to answer, and he himself destroyed the arguments of some of his own friends. He tells us that Lord Hood is in favour of a progressive scheme. There is no difference of opinion in that respect between Lord Hood and the present Board of Admiralty, but we do not think it necessary prematurely to publish our scheme. We think it necessary to publish a scheme for the year, and we are not pursuing a policy of having no scheme for the future, or of not contemplating building any ships in future. The other points he has mentioned are being thoroughly considered by the Admiralty and attended to.

ADMIRAL FIELD: I asked if it was intended to replace the *Victoria*.

\*SIR U. KAY-SHUTTLEWORTH: I have already dealt with that point this evening. As to our position in the Mediterranean, I am very glad to be able to give my hon. Friend some information, and I am pleased to tell him that our Fleet there with respect to battleships will presently be stronger in quality than it has been for a long time. The *Hood* has virtually replaced the *Victoria*. And the *Anson*, *Ramillies*, and *Rodney* are soon to replace the *Colossus*, *Inflexible*, and *Edinburgh*. The Board of Admiralty have, moreover, come to the con-

clusion that for a considerable time the Mediterranean Fleet has been below its proper strength in respect of cruisers. A strong opinion was expressed by Sir G. Tryon, whose weight as a great naval authority I am sure that the House will continue to recognise, that it was necessary to strengthen the Fleet in this direction, and, within two or three months, this will be done. With respect to the remarks of the hon. Baronet opposite on the subject of the *Magnificent* and *Majestic*, I am sorry I failed to give him exactly the information he wished for in reply to questions, and I will endeavour to supply the deficiencies now. When I referred to a speed of  $14\frac{1}{2}$  knots, I must remind the hon. Baronet that is about what may be considered the ordinary full speed for long distances. It is not intended to take battleships for long distances at a greater speed than  $14\frac{1}{2}$  knots; therefore, the figures which I gave are practically such as apply to full speed for long distances. With respect to what the hon. Baronet says as to coal being all in bunkers, we entirely agree that that is very desirable, as far as possible, and I can tell him that, in addition to the 900 tons which each of these ships will hold, they are capable of carrying an additional 850 tons in bunkers. The effect of that will be to immerse the ship by only about 16 inches more. She would start the voyage 16 inches deeper than her ordinary depth, but as the coal was consumed she would obtain her normal depth. The hon. Baronet described the rams in existing warships as useless, but I am afraid our experience of the effect of rams does not lead the Admiralty to the same conclusion. The effects obtained have, no doubt, been accidental, but they have resulted in immense disaster. The Admiralty are at present investigating the effects on the rams and stems of the *Camperdown* and the *Forth*, both very remarkable cases. With regard to the value of coal as a protection against projectiles, experiments have been made by the Admiralty, and it has been found that no material offers a better dispersing resistance to projectiles, or destroys their effects better than coal in a ship's bunkers. I am very much obliged to another hon. Member for Belfast (Mr. Wolff) for the observations which he has made in support of our great cruisers, and I would answer the point he has raised as to why torpedo

*Sir U. Kay-Shuttleworth*



gunboats do not catch the torpedo boats. The principal defect lies with the boilers, but as a result of experiments which we are preparing to make, we hope that we shall be able to replace some of the boilers in the torpedo gunboats by tubular boilers. We hope that with improvements these vessels may yet have a useful future before them. As to the torpedo boat destroyers, we have already obtained such satisfactory reports that we are able to proceed at once in ordering some more, but before we have proceeded very far we shall have experience of the actual performance of the torpedo boat destroyer at sea. I now come to the complaints made by the third Member for Belfast, who in succession took part in this Debate, (Mr. Arnold-Forster). In the first place, I can assure him that there was no delay with respect to the *Renown*. The *Renown* was to be built at Pembroke, and she was taken in hand as soon as possible in view of the work that had to be completed at Pembroke under the Naval Defence Act. And here I would interpose a remark to this effect: It seems very strange that strong accusations are brought against us about not doing this or that which is new, or not having laid down new ships when the fact is that our programme was laid down for us by our predecessors up to a certain number of months ago. We have stuck to the programme; and not only so, but we have hastened the completion of that programme. We have hastened the completion of the battle-ships, and we ought to receive the gratitude instead of the criticism of our predecessors. My hon. Friend complains of the information I gave him, in reply to a question, and he says that the information, in his mind, was of a different character to that which was indicated by his question on the Paper. He tells me now that what he had in his mind was to ask what entirely new vessels of our own planning and designing we had laid down; but there was nothing of that sort in the question he put on the Paper. His question asked how many ships of the Royal Navy had been commenced in the dockyards or elsewhere since September 1, 1892, and what were their names and the dates they were commenced. I answered him briefly, and I handed him a list afterwards which contained the full information he asked for; and although I did not answer the

question he had in his mind, I certainly answered the question he had on the Paper. I have now endeavoured to answer all the points that have been brought before me, and I hope my hon. Friend will withdraw his Amendment.

MR. A. C. MORTON (Peterborough) said, he had been waiting since 4 o'clock to make some remarks on the Amendment, since which time the Debate had been taken up with matters altogether foreign to the Amendment. He wished especially to call attention to the practice of officers in the dockyards lending money to others in the same employment, a system deserving of the strongest condemnation, and which ought to be put an end to, especially in the interests of the poorer members in the dockyards. Another matter was that relating to the Admiral Superintendents. These officers cost £5,649; he was informed that there was no occasion for these officials whatever, and that the spending of the money was an absolute waste.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

#### PISTOLS BILL.—(No. 425.)

##### SECOND READING.

Order for Second Reading read.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) hoped the House would allow this Bill to be read a second time. It met practically with the assent of both sides of the House; it dealt with a serious public evil; and all the objections to it were objections that could very readily be met. The Government were perfectly prepared to give a reasonable time before the Committee stage was taken, and he trusted the House would agree to the Second Reading.

Objection being taken,

MR. T. M. HEALY (Louth, N.): I am bound to say I think there are a great many objectionable features in the Bill—

\*MR. SPEAKER: Order, order! The further progress of the Bill is objected to.

MR. BYLES (York, W.R., Shipley) said, the clause he objected to was that relating to the right of search by the police.

Second Reading deferred till Thursday.

# EXPIRING LAWS CONTINUANCE BILL.

## LEAVE. FIRST READING.

Motion made, and Question proposed, "That leave be given to bring in a Bill to continue various Expiring Laws."—*(Sir J. T. Hibbert.)*

MR. BARTLEY (Islington, N.) wished to know if they would have time to discuss the Expiring Laws Continuance Bill this year? It contained matters of very great importance touching upon the whole question of election, the Ballot Act, illiterate voters, all of which were most contentious matters, and would require discussion.

SIR J. T. HIBBERT said, all the matters included in the Bill were old matters, which had been passed in the Bill for 20 years or more. There might be some new points, but the general subjects were not at all new. He did not see, therefore, why the Bill should be put down specially so as to give time for discussion. There would be the usual time for discussing it like other Bills of the same character. He would undertake that the Second Reading should not be brought on before Friday, which would give the hon. Member a chance to see the Bill in print.

MR. W. JOHNSTON (Belfast, S.): Will it be the first Order on Friday?

SIR J. T. HIBBERT: Certainly not.

MR. BARTLEY: Then I object.

MR. CONYBEARE (Cornwall, Cambridge) suggested that the First Reading stage might be allowed to pass, so that they could see the Bill in print.

MR. T. W. RUSSELL (Tyrone, S.) also recommended that the present stage should be taken, and then hon. Members with the Bill in print could see what it contained.

MR. BARTLEY said, he would withdraw his objection on the understanding that on the Second Reading stage they had time to discuss the Bill.

Motion agreed to.

Bill ordered to be brought in by Sir J. T. Hibbert, The Chancellor of the Exchequer, and the Attorney General.

Bill presented, and read first time. [Bill 451.]

# SALE OF GOODS (*re-committed*) BILL [Lords].—(No. 441.)

Considered in Committee; Committee report Progress; to sit again upon Thursday.

# STATUTE LAW REVISION (No. 2) BILL [Lords].—(No. 437.)

Considered in Committee.

(In the Committee.)

Second Schedule.

Question proposed, "That this be the Second Schedule of the Bill."

Committee report Progress; to sit again upon Thursday.

# NAVAL DEFENCE ACT, 1889.

Resolution reported—

"That it is expedient to authorise the grant, out of moneys to be provided by Parliament, of sums not exceeding in the aggregate £1,350,000, for the completion and equipment of ships under 'The Naval Defence Act, 1889,' and to amend the said Act."

Resolution agreed to.

Bill ordered to be brought in by Mr. Mellor, Sir Ughtred Kay-Shuttleworth, and Mr. Edmund Robertson.

Bill presented, and read first time. [Bill 450.]

# PUBLIC HEALTH (LONDON) ACT (1891) AMENDMENT BILL.—(No. 431.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

## ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

THE PATRONAGE SECRETARY TO THE TREASURY (Mr. MARJORIBANKS, Berwickshire): I beg to give notice that the Chancellor of the Exchequer will, to-morrow, at the commencement of Business, move the suspension of the Twelve o'Clock Rule for the purpose of concluding Vote 8 in Supply.

MR. T. M. HEALY (Louth, N.): Would it not be better that the Government should suspend the Twelve o'Clock Rule for the rest of the Session?

[No answer was given.]

Motion agreed to.

House adjourned at a quarter after Twelve o'clock.

## HOUSE OF LORDS,

*Tuesday, 29th August 1893.*

Several Lords—Took the Oath.

## COMPANIES WINDING-UP BILL.

## SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR (Lord HERSCHELL): My Lords, the object of this brief Bill is to make an Amendment in the Winding-up Acts for the purpose of supplying a defect which experience has proved to exist with regard to the winding-up of Companies. Under the Winding-up Acts there is power to make an order for payment of money by a director guilty of misconduct, or in default; but there is a difficulty in enforcing that by bankruptcy proceedings, which cause delay and sometimes injustice. This Bill proposes simply to remedy that evil.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Chancellor.*)

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday next.

SHERIFF COURTS CONSIGNATIONS  
(SCOTLAND) BILL.—(No. 209.)

## SECOND READING.

Order of the Day for the Second Reading read.

LORD PLAYFAIR, in moving the Second Reading, said, this was simply a Treasury Administrative Bill in reference to money paid by suitors which sometimes accumulated in the hands of Sheriffs. The Bill provided that after seven years unpaid consignations should be paid over to the Queen's Remembrancer or Lord Treasurer. It gave, at the same time, the right to any person who might not have claimed money to demand it from the Queen's Remembrancer.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Playfair.*)

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Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday next.

ELEMENTARY EDUCATION (SCHOOL  
ATTENDANCE) BILL.—(No. 255.)

## COMMITTEE.

House in Committee (according to Order).

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): My Lords, I have to move an Amendment in Clause 3. It is merely to make it in accordance with what has already been passed, and is, in fact, consequential.

Amendment moved,

In Clause 3, page 1, to leave out ("wholly exempt") and insert ("exempt wholly or partially as the case may be").—(*The Earl of Kimberley.*)

Amendment agreed to.

Bill re-committed to the Standing Committee.

## LADIES' HALL, BANGOR COLLEGE.

## QUESTION. OBSERVATIONS.

THE BISHOP OF ST. ASAPH called attention to the circumstances under which the Ladies' Hall, at Bangor, in connection with the University College of North Wales, had been closed by the action of the College authorities; and asked the Lord President of the Council what steps could be taken to remedy the injury which had been done to the Lady Principal, to the directors and shareholders of the Ladies' Hall, and to the cause of women's education in Wales? He asked for the indulgence usually accorded to one who addressed the House for the first time, while he called attention to a subject which not only involved injustice to individuals and to several persons who had devoted time, labour, and money to the higher education of women in Wales, but also vitally affected higher education itself, especially for women, in the Principality. It was necessary to begin by distinguishing the three Bodies concerned. There were Directors who were the Governing Body of the Ladies' Hall at

Bangor; the Senate, consisting of the Principal, Professors, and permanent Lecturers of the College, who were charged with matters of discipline and education; and the Council, who were the supreme Governing Body of the University College at Bangor. As the result of an inquiry by a Departmental Committee into higher education in Wales, University College was established in 1884, and to the establishment of that College all classes of the community contributed their aid with remarkable unanimity. By the end of the year more than £37,000 had been subscribed; and with this sum and a grant of £4,000 a year from the Treasury the College was opened. In 1886 several ladies and gentlemen interested in the higher education of women in Wales joined together to provide, under a resident Lady Principal, board and residence for female students wishing to study at Bangor College. They formed themselves into a company and leased a property from Lord Penrhyn, and they spent more than £4,000 in furnishing the women's hall. The College authorities declined to take any share in the financial responsibility for this undertaking or in framing regulations; but they recognised the women's hall. The College authorities, he was informed, declined to take any responsibility of any kind either in regard to financial liabilities or the regulations for the women's hall; but they had recognised the hall by recording that—

“A hall had been established for women students at Bangor under the superintendence of Miss Frances Hughes.”

Relying upon this and upon the *bona fides* and common sense of the College authorities, the Directors opened the women's hall in 1888. The hall prospered under the superintendence of Miss Hughes, and it numbered 28 students. The Directors were about to spend £2,000 in providing increased accommodation, when the difficulty arose which led to the action for libel at the recent Chester Assizes, in which Miss Hughes recovered £350 damages and costs, and completely vindicated herself from the charge of maligning a lady student, which had led the Council to revoke the licence to the women's hall. The main

facts were recited in the Charge of Mr. Justice Charles to the jury. He said the Court absolutely and entirely cleared the character of Miss Hughes from the charges which had been formulated by the Senate, and that she was justified in not appearing before it, a letter having been written to her which Mr. Justice Charles said looked very much like a writ. The learned Judge further said that the inquiry which had been held by the Senate had been conducted without the slightest regard to the ordinary form of judicial proceedings. Justice had been done to her character, and he now asked that the same justice should be done to others. The Directors, much as they felt the grievous injury which had been done to the cause to which they had contributed so much time and money, were willing to let bygones be bygones; but they asked that Miss Hughes should be reinstated in the position from which she had been wrongfully thrust by the Council on a charge which had been declared by a Court of Justice to be unfounded. In another place the Vice President of the Council had stated that this was a matter of internal discipline, and therefore could not be inquired into; but in a State-endowed College it was difficult to understand how any public inquiry could be held that did not relate to the internal management and life of the College. The right hon. Gentleman who gave this answer was making for himself quite a reputation by the zeal he displayed in examining and inquiring into the minutest detail of the smallest elementary school-room; and why his zeal should cool down when he was asked to deal with the larger subject of a State College was a matter difficult to explain. Owing to the action of the College authorities six members of the Council had withdrawn, among them being the Duke of Westminster and the Lord Lieutenant of Anglesea, who was a leading Nonconformist in Wales. The injustice which had driven them away from the College for which they had done so much would, if not remedied, injure the future of that Institution, and would destroy the co-operation which had resulted so beneficially in the past. He therefore desired to ask the Lord President whether any inquiry would be held into this matter which he had ventured to bring before the House?

*The Bishop of St. Asaph*



**THE EARL OF KIMBERLEY:** I am afraid I can only repeat the answer given by the Vice President, in which I entirely agree, that the question relates to an internal disciplinary matter in which the Government have no jurisdiction. I will not go into the question in regard to Miss Hughes. There has been an unfortunate quarrel, but the College authorities are invested with certain powers, and they have thought fit to exercise those powers. It was for them to judge whether it is desirable that this hall in which the ladies resided should or should not be connected with the College; but it is not a matter in which the Government are called upon to order an inquiry. With regard to the remarks from the Judicial Bench which have been referred to, without in the least impugning the learned Judge's Charge, I would point out that it was not the action of the College authorities but of a newspaper that was before him for trial, and I decline altogether to be bound by opinions expressed by the Judge in such circumstances upon a matter which was not before him for trial. I can only say that we deeply regret that this trouble should have arisen with regard to an admirable institution, and I sincerely hope that means will be found to adjust matters in difference for the future usefulness of the College. And I would remark that it is not absolutely necessary that Miss Hughes should remain the head of the Ladies' College, and that very likely if some other lady could be induced to undertake the duty a licence would be granted. But I repeat this is not a matter in which the Government can be called upon to interfere, or, indeed, to express any opinion.

**THE BISHOP OF BANGOR** begged to express his disagreement with the view of the Lord President that this was a purely disciplinary matter. He did not contend for a moment that the Senate had not full power over the discipline of the College; but this was a much wider question. Around the Colleges at Bangor, Cardiff, and Aberystwith were grouped various halls for male and female students connected with the Church and with the various denominations and

sects, and it would be a great hardship, if under such circumstances as these, their licences were to be withdrawn. There was no charge whatever brought against the Directors of this hall, nor against the students; but simply because there was a disagreement between Miss Hughes and the Senate of the College, the Senate acted on their own judgment, and practically claimed the right of dismissing the head and withdrawing the licence from any institution connected with the College. Difficulties had arisen in this matter out of which he could not see any way except by the Government granting an inquiry into the whole subject. By that means the College would be enabled to work for the common good. He hoped, therefore, the noble Earl would reconsider the matter before it was too late.

**LORD PENRHYN**, as one of the Governors of Bangor who had withdrawn his name from the Council in consequence of what had taken place, said there could be no question that a very grievous wrong had been done in this case, and he pressed the Government to reconsider their determination and grant an inquiry. He could not agree with the Lord President that this was a matter in which those connected with the libel action were alone concerned, and not the College, for the libel action would never have been heard of had it not been for the course taken by the authorities in calling upon Miss Hughes to apologise for what she had not done, and then arbitrarily ordering the hall to be closed, so that Miss Hughes had lost her position. It was no light matter to alienate so many friends of education in North Wales, and he respectfully urged upon Her Majesty's Government the necessity for an inquiry.

**THE EARL OF CRANBROOK:** My Lords, I should like to say a few words upon this subject, because I do not entirely agree with the noble Earl who occupies the position I formerly held. I quite admit that, as President of the Council, he has no jurisdiction in the matter whatever; but as a Member of the Government which grants the large sum of £4,000 yearly to the College he has a very distinct interest in seeing that that

money is properly administered. That seems to me to impose a duty upon the Government where a matter of this kind is brought to their knowledge—not a purely disciplinary matter within the College itself, but one outside; the authorities having put an end to this institution upon grounds which cannot be supported. That was done upon evidence which, as Mr. Justice Charles said, was not at all ordinary judicial evidence. It seems to me that in a case of this sort the Government might very well give the matter careful consideration whether, before making their grant to this College, they should inquire what its position is in relation to this subordinate hall. It seems to me to be a most unfortunate position for these Colleges that there should be nobody to check anything they do; that they should be allowed to enter the University entirely as independent Members; and that the Ministry itself should not have the power of checking any excesses upon their part. I think the Government, therefore, should carefully inquire into this matter and the position of the College before they supply it with further funds.

THE LORD CHANCELLOR (Lord HERSCHELL): My Lords, I think the noble Earl is inviting the Government to undertake a somewhat dangerous task. The discipline of the College in these respects—namely, the granting and refusing licences to particular halls—has been committed by the law to the Governing Body of the College; and if in every case in which it may be considered that the Governing Body of a College have come to a wrong decision in exercising the powers committed to them, the Government which is not made the superior Judge over their proceedings, and to whom an appeal might have been given from their decisions, were to interpose and say—"Before making the grant which has been determined upon by Parliament as proper to be given to this College, we must inquire how the Senate have exercised the powers which the law has committed to them without appeal," it would be a very dangerous precedent, and one which the noble Earl might be the first to regret in relation to other matters. What I would suggest is that if wrong has been done bad blood would be more likely to be put an end to if after

what has passed an appeal was made to the Senate to reconsider the position it has taken up. I quite admit that what has taken place furnishes very substantial grounds to the Senate for listening to such an appeal, and I hope they will be manly enough and generous enough to reconsider the matter on fresh evidence.

[The subject then dropped.]

#### COLLEGE CHARTER ACT, 1871 (UNIVERSITY OF WALES).

##### RESOLUTION.

THE BISHOP OF CHESTER moved—

"That, in the opinion of this House, it is desirable that the assent of Her Majesty be withheld from the Draft Charter of the proposed University of Wales until such portions of the aforesaid Draft Charter shall have been omitted as prevent the inclusion of St. David's College, Lampeter, in the County of Cardigan, as a constituent College of the aforesaid proposed University of Wales."

He said, the object of the Motion was not the rejection of, but to improve the Charter by broadening its basis. Its aim was first the good of higher education in Wales; and, secondly, of St. David's College, Lampeter, which had been a Chartered College for 65 years. Its first Charter, the Charter of Incorporation, was granted in 1828; its second Charter for conferring the Degree of Bachelor of Divinity, was given in 1852; and its Arts Charter in 1865. Under its Arts Charter the Arts Degree was made to move as far as possible upon the old lines of the Universities of Oxford and Cambridge. The College itself could never appoint more than one Examiner, the others being appointed by the Vice Chancellors of Oxford and Cambridge. In 1880 a Committee of Inquiry into higher education in Wales, under the presidency of Lord Aberdare, was appointed. It was a thoroughly impartial Body, and the result of the inquiry was to the effect that a Welsh University should be established, and that Lampeter should be included in it. Since then the educational power of the Institution had become at least twice as great as it was in 1881, when Lord Aberdare's Departmental Committee reported, and when he had himself the honour of being Principal. It had grown in every part, and had been affiliated to the Universities of Oxford and Cambridge, and had largely availed itself of that affiliation. Its whole education had

*The Earl of Cranbrook*

broadened, and therefore if the College deserved to be included in 1881 it was doubly fit to be included now. The first reason for including it was the benefit that would accrue to higher education in Wales. It would be good for the Welsh University that Lampeter should be included. It would be something that Nonconformist ministers and the clergy of the Church should in future have this bond of union—that they belonged to a common University. It had been the policy of Lampeter all along to welcome co-operation with the other Colleges of the proposed University upon equitable terms. Those who might be responsible for the exclusion of Lampeter would leave a root of bitterness in Welsh life, social, political, and religious, if they compelled clergymen to have different sympathies and interests as regarded their University from their Nonconformist brethren, and that would be the case if Lampeter was left in a position of isolation. If the Charter became law in its present shape it would form a mischievous precedent for the Gresham University, and would bear hardly on King's College, London. What were the reasons for not carrying out the recommendations of Lord Aberdare's Committee, and admitting Lampeter to the Welsh University? One of the reasons adduced added insult to injury, for it was said that Lampeter had made no application, and was now too late. It had on every occasion expressed its desire to become a member of the proposed University on fair terms; but it declined to have its claims retried by an incompetent tribunal. The Shrewsbury Conference, held to consider the question of the Welsh University Charter, was not recognised by law, and it was not recognised by Lampeter. It was a Conference dominated by the three existing State-aided Colleges. He was glad that their Lordships had just previously had an object-lesson in the judicial temper exhibited by one of those Colleges, the College of Bangor. Why should Lampeter have gone to the Conference at Shrewsbury cap in hand to ask the representatives of those three Colleges to be admitted as a member of the proposed University when it knew that admission would be refused by them except on thoroughly inequitable conditions? The Professors had in the proper way peti-

tioned the Privy Council to be heard; but doubtless for sufficient reasons that request was not granted, and this was the first opportunity the College had had of getting its claims fairly tried since 1880. As their Lordships knew, the Draft Charter had lain on the Table of the House during a month so unpropitious that it was a marvel the College had been able to state any case at all. The refusal to include Lampeter in the Welsh University was worse than ill-grounded. It was said that this College was heterogeneous, that it represented the old University types of Oxford and Cambridge, and that it was a tutorial and residential College. This was an objection of mere academic pedantry, and not one springing from a broad view of College life. Among other objections urged against the inclusion of Lampeter, it was stated that the constitution of the College would not amalgamate with those of the three other University Colleges, and that Lampeter was almost a purely Theological College—that the Arts were subordinated to the Theological Course. It was true that from the first Lampeter maintained that it would be absurd to establish in Wales a University which ignored theology. What was required in Wales was that great freedom should be given to the constituent Colleges of the University to teach theology upon their own lines, frankly recognising the undogmatic and the dogmatic conscience alike, and that the University examination should be undenominational. One fact alone would show that the Arts were not subordinated to Theology in the College, and that was that at the last examination three-fourths of the papers sent in were non-theological, even for candidates going out in theology, and had reference to the Arts. But the real reason why the College was to be excluded from the University was because it was connected with the Church of England. That was at the bottom of the whole matter, and the fact must be acknowledged. If the College wished to override the other Colleges, and was anxious to exclude the Colleges of any other denomination, there might be something in the objection; but there was no such intention, and Lampeter would simply come in as one of the other Colleges—not as one out of three as pro-

posed by Lord Aberdare's Committee, but as one out of four. Lampeter was more likely to be overpowered by the other Colleges than to overpower them. Their Lordships probably knew how things were tending in Wales in regard to matters of religious controversy. A movement was in progress throughout elementary education which, unless it was stemmed, would find its way into higher and University education. In the Board schools in Wales the Bible was subjected to the same treatment that Lampeter was in regard to the Welsh University—it was excluded. The Report of 1888 showed that out of, in round numbers, 300 Board schools the Bible had been banished from 123; it was simply read in 119, and in 290 of these schools there was no religious examination. As to intermediate education, the Act passed by the late Government, with the best possible intentions, was simply being warped and distorted by an aggressive and intolerant denominationalism in Wales. To speak of Cardiganshire alone, such was the intolerance of denominationalism, that though a school had been established there acknowledged on all sides to be efficient, and to which Nonconformists readily sent their children, it was now proposed to penalise the parents of Nonconformist children by compelling them to send the children to distant schools rather than allow them to hold their exhibitions at the school established and maintained by St. David's College. The spirit thus displayed in intermediate education would soon find its way into the higher education of Wales. On May 2 last Dr. Martineau wrote a very remarkable and valuable letter in *The Times* dealing, in a very different way, with the subject, in which, among other remarks, he said—

"This fascinating theory of 'a common Christianity' on which the essentials are to settle, after leave of absence has been given to all else, will not work. . . . A religious man cannot cut his theology into pieces and deal it out in fragments selected by deference to others' belief."

Dr. Martineau also used those words which, he ventured to say, might be written in gold for their Lordships' recollection—

"Hold fast the protection for the undogmatic conscience; add an equal provision for the dogmatic."

*The Bishop of Chester*

Lampeter had no wish to interfere with the religious principles of any other College, but claimed that it should not be excluded from the Welsh University because it held fast to its own religious principles. Their Lordships should remember that what was being done in this matter in Wales would, before long, be repeated in England. Therefore, this question was not a small one of a merely local character, but it was one of such importance to the whole country that it demanded the serious consideration of their Lordships.

Moved to resolve—

"That, in the opinion of this House, it is desirable that the assent of Her Majesty be withheld from the Draft Charter of the proposed University of Wales until such portions of the aforesaid Draft Charter shall have been omitted as prevent the inclusion of St. David's College, Lampeter, in the County of Cardigan, as a constituent College of the aforesaid proposed University of Wales."—(*The Lord Bishop of Chester.*)

THE BISHOP OF ST. DAVID'S said, with regard to the statement made by the Vice President of the Council in another place in answer to a question put to him, that the Visitor of Lampeter College had made no representation on the subject of the proposed Welsh University, that he had been a Visitor for many years, and the reason why he had made no official representation was that he had never been called upon to do so, although he had on several public occasions expressed his strong opinion that Lampeter ought to be included in the University, believing that, on the whole, it would be to the advantage of the College that it should be included. He might add that the Petition presented to the Privy Council by the Principal and Professors of the College was unofficially and informally submitted to him, and had his full concurrence. He desired to make that statement now, because his silence upon that occasion might have been misconstrued. The question had been asked of what advantage would it be to the College of Lampeter to be included as a constituent member of the proposed University? He frankly confessed that he had had many debates with himself on the subject, but had at last come to the conclusion that the balance of advantage was on the side of inclusion. It was a question for the authorities of the College,



and they desired to be included. Although the College would lose something by inclusion, it was the duty of the authorities to waive any objections they might have in view of the advantages which would accrue from its inclusion to the University when that institution should come into being. If there was to be a University for Wales, that University should be as efficient, as national, as liberal, and as comprehensive as possible. It would do the University infinite injury to have so important an element as the College of Lampeter excluded from it. He feared that the effect of the exclusion of Lampeter would be to perpetuate divisions that unhappily existed, and he did not understand why efforts should be made to exclude the College unless they were made for partisan purposes. It was in the interests of a section that the exclusion was advocated. He protested strongly against this attempt, to use an American word, to gerrymander a place of higher education. The proposed Charter in many respects seemed to be the work of a *doctrinaire*, there being a great deal that smacked of academic pedantry about it. If it became law, it would be very distasteful to a large minority at least of the inhabitants of Wales, and certainly very distasteful to a large majority of the educated people of that country.

\*LORD ABERDARE said, having presided over the Departmental Committee in which this Charter was prepared, he had listened with great regret to the grave imputations cast upon it by the right rev. Prelates who had spoken. They had told the House there was a desire on the part of the Committee to exclude Lampeter. The Committee had the assistance of the late Principal of Lampeter, Chancellor Edmondes, a man of great ability and admirable judgment, whose loss he deeply deplored, and afterwards with his successor, Principal Owen. Though in close communication with him from November, 1891, down to January last, he really could not ascertain what Lampeter desired in the matter. For 14 months this question was constantly before him, and during that period he was, of course, in frequent communication with representatives of Lampeter, and yet he could not ascertain what Lampeter desired. In fact, he did not

know now. The recommendation of the Departmental Committee was that the College should give up the power of conferring Degrees in Arts, and to this day he did not know whether or not it intended to surrender that power which distinguished it from other Theological Colleges.

THE BISHOP OF CHESTER said, that no other idea had ever entered the minds of those connected with Lampeter than that if the College became a constituent part of the University it would give up its own power of conferring degrees.

\*LORD ABERDARE said, that the intimation which now came from the right rev. Prelate had never been expressed before, and great doubt had been felt on the point, for many of the leading Churchmen who gave evidence before the Departmental Committee argued with considerable force that the present Charter of the College ought not to be surrendered. The only clear statement of opinion he was then able to get upon the matter was from the late Principal Edmondes, who said he thought the University Charter ought to be an enlargement of the Charter of St. David's. The Dean of St. David's and others thought that the existing Charter ought not to be interfered with, but that if the rest of Wales required a Charter for a University they should have it. The right rev. Prelate (the Bishop of St. David's) himself doubted whether it would be to the advantage of the College to part with its Charter; and the Bishop of Bangor, then at the head of one of the largest and most important schools in Wales, went further, and said there ought to be no alteration in the present state of things, while objecting to the enlargement of the Charter of Lampeter on the ground that he had no great faith in the work it was doing. In answer to Question 15,983 in the evidence, the right rev. Prelate said—

“It strikes me it must be very difficult for examiners to come down and examine half-a-dozen, apart from others, and to see that they have reached the same standard as men from Oxford and Cambridge, who are doing a different class of work. The class of boys who go to Lampeter is not the best class of boys in Welsh schools, and I do not see how the degree can be of equal value to those of Oxford and

Cambridge, nor do I think the Lampeter men themselves have set a high value upon the degree."

The Departmental Committee held sittings in every county in Wales, and all the leading men in the country had given their opinions upon the question of the provision of higher education for Wales. Since then Welsh opinion had become in many respects largely modified. When the Committee made their recommendation there were 64 students at Lampeter, and the only other College was the undenominational one at Aberystwith, where there were 57. It was quite uncertain what advantage would be taken throughout Wales of the foundation of another College. But since that time—1881—the number of students at the undenominational Colleges had increased rapidly, having risen to 677, without reckoning medical students, whose numbers so often swelled the rolls of public Colleges. The circumstances, therefore, had greatly altered. Again, Educational Committees had been appointed all over Wales to inquire into the best method of establishing a system of intermediate education; the various problems connected with higher education had been widely discussed, and clearer ideas prevailed as to their solution. Nobody would think at the present moment of suggesting the solution recommended by the Departmental Committee of enlarging the Charter of St. David's College; and the question now was whether a University should be founded in which Lampeter should or not find a place? He would have been glad had it been possible to enlarge the Charter of Lampeter; but that was at present impracticable. When Lampeter was founded it was a strictly Theological College, though subsequently liberal arrangements were made for those who were not members of the Church of England; but in spite of that he would ask, without wishing to say anything against an institution that had done so much good, was it or was it not true that it had never had the confidence of the Nonconformist Bodies? Parents were afraid of the *genius loci*, and that their children would adopt the opinions of the majority. Some Nonconformists, no doubt, had taken their degrees there; but he believed that the right rev. Prelate who opened the Debate, and who had

*Lord Aberdare*

himself done so much for the success of the College, could reckon on his fingers the number of Nonconformists who had availed themselves of the teaching of the College. Then, again, the Visitor had powers that were utterly unknown in any other College, and altogether its constitution was entirely different from that of the other three Welsh Colleges. He denied the statement that the decision of the Committee had been affected in any way by the *odium theologicum*. He was quite certain if the Governing Body of Lampeter were other than it was, if it had not an autocrat—he admitted a wise and benign autocrat—in the Visitor, if it had anything like a broad liberal constitution, it would have been very difficult to have found any just reasons for excluding Lampeter from its share in the University. Of course, it must show that its work was as good as that of the other three Colleges, and he quite admitted that its Professors were a very able body of men; but, possibly from want of adequate means, several of them had to take charge of two subjects, and it was hardly possible that with such a division of labour their work should be as effective as was the case in the other three Colleges who had large and ample staffs, each man dealing with his own subject. If Lampeter was to be included, what were they to say to the eight Welsh Theological Colleges in which the Arts were taught with varying efficiency? He doubted whether any of them would come up to the standard which would be required. The effect of admitting a number of Colleges with varying standards would be that the standard must be lowered in order to meet them all. Their Lordships would see the difficulties which surrounded the matter, and that considering the present position of Lampeter, considering its government and past history, it would have been hardly possible to admit it consistently with their duty, and with the principles on which the lines of the Charter were drawn. The amplest provision had been made in the Charter for the admission of other Colleges hereafter. He could not say that at this moment Lampeter stood on the same educational footing as the other three Colleges, and he lamented the necessity under which the Committee laboured of not admitting it; but he did not think that, consistently with what

they thought an University degree should be, they could safely do so without incurring the result of lowering the standard.

THE BISHOP OF ST. ASAPH said, the noble Lord had apparently changed his own opinion very largely since 1880, which was no doubt a very long time ago; and surely he would not claim the luxury of a change of opinion for his own side exclusively. The noble Lord had told them that he repudiated anything like theological or political feeling, and hoped that they would not be introduced into the matter, and then he said that they could not include Lampeter because it had not gained the confidence of the Nonconformists. He was not aware that Church Colleges were likely to gain the confidence of Nonconformists. What was asked was that Lampeter should be excluded because it was a Church College. Then the noble Lord also said that Lampeter had not asked to be included. It was quite enough that they came there and asked to be included in the Welsh University. Again, it was undoubtedly a good thing to have a Visitor, and the difficulty which had arisen in reference to the ladies' hall at Bangor would never have occurred if there had been a Visitor there with the same power as the Visitor possessed at Lampeter. The Bishop of St. David's had authorised him to say that a scheme had been prepared under which it would be easy for Lampeter to be included in the Welsh University, and the authorities of the College were quite willing to submit it for consideration when an opportunity occurred. Lord Aberdare, whose great services to the cause of education in Wales he ventured to recognise, had not met the point that they had not been treated fairly in the matter, and that Lampeter had not been excluded on the ground that it had not done splendid work in the past.

LORD ABERDARE said, he had not denied it.

THE BISHOP OF ST. ASAPH hoped, in conclusion, that the House would not consent to the Charter being passed as it stood.

THE BISHOP OF LONDON said, it was not denied that Lampeter had done good work, but the noble Lord said it

should be excluded because it had not conciliated and secured the affections of the Nonconformists.

\*LORD ABERDARE said, he had never made that statement, and would not have put it forward, considering it an extremely inadequate reason.

THE BISHOP OF LONDON said, the noble Lord had certainly made some statement to that effect as one of the reasons he put forward—that Lampeter had not succeeded in obtaining the affections of a large number of the Welsh people.

\*LORD ABERDARE said, he gave that as a reason why they should shrink from enlarging the Charter of Lampeter, but not for the exclusion of that College from the Welsh University.

THE BISHOP OF LONDON said, the noble Lord had apparently put his arguments a little out of order if that was what he meant, but he certainly gave the impression that that was one of his main grounds. No sufficient reason had been given why Lampeter should be excluded. What had been said, and with a great deal of force, was that Lampeter was slow in making up its mind, and that was a very good reason why they should hesitate to include Lampeter. At the same time, Lampeter did send in a Petition, and did distinctly ask to be included. It even went so far as to say that it was willing to surrender its Charter—to surrender the power of giving degrees. It was, therefore, a little hard upon Lampeter for the noble Lord to say the College had declined to give up its Charter.

LORD ABERDARE said, his statement was that it had never been suggested during the whole time the Conference and Committee were going on that there was any willingness on the part of the College to surrender its Charter. It was after everything was closed that that proposal was heard for the first time.

THE BISHOP OF LONDON said, he was glad to have drawn out that remark, because certainly the noble Lord's argument seemed to go the length of saying that never until that day had any intimation of willingness been given. It was only natural that they should hesitate,

for they had the privilege of granting their own degrees, and they were considering as to joining a University where the great majority would probably be by no means friendly to their views. But when they petitioned the Privy Council there was no further question about the matter. The College might have been a little late, but there could be no doubt they had desired to be included for some time past. One argument brought forward was that Lampeter had not as good a staff as the other three Colleges, and therefore was not able to do as good work, though it was admitted to have done good work in the past—that the other three Colleges were in a position to do much better and higher work in the future. That argument did not amount to very much, because the claim to large numbers had been completely knocked to pieces. It had been pointed out that the large number of students attending other Colleges than Lampeter had been arrived at by adding together all sorts of attendances at classes; but he would like to know the number of those who took degrees, for, after all, a College was to be tested not by the number of students attending a few lectures, but by the number who went through a definite course of instruction. The noble Lord had spoken of unwillingness to lower the standard of the University by letting in Lampeter; but nothing could lower it more than letting in a mixed multitude, who were simply taking a few courses here and there with no definite object to which a test could be applied. He was sorry that Lampeter did not make up its mind sooner; but it was no reason for condemning it to perpetual exclusion that it had hesitated to take a step which involved a large self-sacrifice. Nothing could induce it to surrender its Charter but the belief that it could do useful work in the new University. Other Colleges should not have been included in the Charter unless they could show they were doing good work. The Church of England did not ask for any special privilege to be granted to her, or to be treated on a different footing from any other Religious Bodies; but she did ask that there should be fair play all round. In the interests of the highest education, that which looked to true cultivation as the supreme purpose for which a Uni-

*The Bishop of London*

versity existed, it would be a great gain to the University of Wales to extend its borders in such a way as to include the College of Lampeter.

\*LORD KNUTSFORD said, that as one of the Privy Councillors to whom the Draft University Charter was referred, he desired to state the reasons upon which they acted in approving that Charter with some Amendments, although they did not see their way to then including Lampeter College as a constituent College of the new University. Lord Aberdare had very fully and clearly stated the reasons why the Shrewsbury Conference and the Committee were not able to include Lampeter; and, therefore, he need only explain why the Privy Council could not do so. Sufficient consideration had not been given to the Reservation Clause which would be found at the end of the Charter, which was inserted by the special order of the Privy Council when they found they were not able to admit Lampeter. By that clause power was reserved not to the University, as in the case of the Victoria University, but to the Queen to admit, by any supplementary Charter or Charters, any College or Colleges she might be advised to include. Therefore, when the right rev. Prelate the Bishop of London spoke of the "perpetual exclusion" of Lampeter, he could hardly have read through the Charter. There was no difficulty in the way of Lampeter being admitted at any time when the relations of that College to the University were settled. But those who advocated the immediate inclusion of Lampeter were conscious of the existing difficulties in the relations between that College and the other Colleges and the University; and under the consciousness of these difficulties, the simple course of setting to work to remove these difficulties and then applying for a supplementary Charter did not commend itself to the opponents of the Charter; and the result had been considerable vagueness in action on their part. First it was proposed to move a humble Address to Her Majesty to withhold her assent to certain portions of the Draft Charter. The portions of the Charter that were objected to were not mentioned in the Motion, nor was the object of making those alterations stated, and nothing



could be more vague and uncertain than the Resolution. The next form the Motion took was to substitute for an Address to Her Majesty the pious opinion of their Lordships that assent should be withheld until portions of the Charter that prevented the inclusion of Lampeter were omitted. The object of the alterations of portions was stated, but again it was not stated what portions they were. It had been assumed in the course of the Debate that in the Petition presented by Lampeter it was stated that Lampeter was willing and ready to give up her privileges and to alter her Charter; but that was the very first time that willingness had been heard of. In the Petition of Lampeter to be admitted into the University which was before the Privy Council, the petitioners only stated that they were prepared to submit Amendments in the Draft University Charter so as to provide for the inclusion of St. David's College, but not a word was there said about giving up their own privileges or desiring to alter their own constitution. On these points there had been a good deal of misapprehension. It was admitted that the time had arrived for the establishment of a University for Wales, and for giving effect in substance to the recommendations of the Committee of 1881, although, as Lord Aberdare had shown, the state of things had so changed since that time that the scheme then suggested could not be adopted in detail. There could be no doubt that the three University Colleges, whose success had been as conspicuous as that of Lampeter, should form the nucleus of that University. When the Draft Charter was prepared, circulated, and discussed, the authorities of Lampeter had not made up their minds what course to pursue. The right rev. Prelate, the Visitor, had admitted that he was not consulted, and that he had great doubts, even up to the present time, what course to advise; and it was most remarkable that during all this time, and though the terms of the Draft Charter had been known so long, no direct resolution for the admission of Lampeter had been moved at any public meeting or by any Public Body. And as had already been pointed out, at no time had there been any statement, until this evening, that the authorities of Lampeter College were ready to give up any privilege, or assent

to any alteration of the Lampeter College Charter. The Privy Council had then before them a Draft Charter, which had received, not a unanimous approval, but a large and distinct approval from the leading educational authorities of Wales, as was shown by the statements in the preamble of the Charter. He apprehended that in these circumstances it was their duty, unless there was something which they thought radically wrong running through the whole scheme, to approve of it in substance, and not to interfere with the details as to the constitution of the Governing Bodies, and so forth, though of course correcting any details that were against the interests of the University, or which were unworkable. It was also their duty to consider carefully the protests against it, which were few in number. In passing, he might observe that these Petitions mainly raised objections to the condition of residence being required. This was not the time to argue against those objections, though he thought a full answer could be made. Then the Privy Council had to consider the Petition of Lampeter and the character and constitution of that College. Their Lordships had heard that it was governed by a College Board, consisting of the Principal and tutors (who must be in Holy Orders and graduates of Oxford or Cambridge), and of the Professors. [The Bishop of St. ASAPH: Not all.] They must also be approved of by the Visitor, who had extraordinarily large powers, both in initiation and veto. He made the statutes; he could remove members for incapacity or misconduct, and he had control over the College Board. No one could doubt, from the aims of the founder and the composition of the Governing Body, that it was a Denominational College, and that it was to be primarily a Theological College, and only secondarily an Arts College. That seemed, in fact, admitted in the Lampeter Petition, where it was shown that in the last 10 years more than one-quarter only of the graduates had taken non-theological degrees. Now, he must not be supposed to be contending that a College should be excluded from the University simply on account of the religious character of its foundation. Nor was he inclined in the least to minimise the excellent work which this College had done; on the contrary, he

desired to speak in the highest terms of that work. Personally, he should very much like to see this College a constituent College of the University, and he hoped before long it would be so. But it was clear, from what had been said, that the simple admission of the College with its special Charter, form of government, and privilege of conferring degrees, into the University upon the same footing as the other University Colleges would be impossible. And before it could be admitted even on a somewhat different footing, the existing scheme of Lampeter would have to be recast in the direction of making the Governing Body a more representative one, and of placing the College under the independent control of the Governing Body; and, of course, the privilege of conferring degrees must be given up. It was now urged that the Lampeter Authorities were prepared to do this. He hoped that this was the case; but, in the meantime, he earnestly hoped that their Lordships would not accept the Motion, but would allow the Charter to proceed and the University to be created. No injury could be done by delay in the admission of St. David's College, for they could come in by a supplementary Charter. There would be plenty of time to consider and discuss in an amicable way the terms on which the College could come in; but surely the important work of starting this much-desired University ought not to be delayed merely on the ground that St. David's was not at present included.

THE BISHOP OF SALISBURY moved an Amendment praying Her Majesty to withhold her assent to the Draft Charter until amendment had been made therein. In his view, the Charter as it stood was an unfit instrument to go forth to the world, and to represent to the world the ideal of the University of Wales. The noble Lord (Lord Aberdare) had described it as being on a large popular representative basis. That was so, indeed; but he would like to ask whether that large popular basis was likely to secure the great end for which Universities were intended—namely, the highest study carried on in the most unimpassionate manner? The Council was to be heterogeneous; and the appointment of Mayors, Aldermen, and

*Lord Knutsford*

Burgesses of boroughs was likely to admit persons prominent in politics rather than in educational matters. Not only so, but the teachers in elementary schools were to be represented. The object of a University was to control the lower education, not for the lower education to control the higher, to carry out what might be thought most popular, and to adopt that practical view of education as a thing that must pay for the purpose of getting on in life which those who had the control of our Universities had so constantly to resist.

Amendment moved, to leave out from ("until") to the end of the Motion, and insert ("amendment has been made therein").—(*The Lord Bishop of Salisbury.*)

THE BISHOP OF ELY begged to support the Motion, and urged that St. David's College ought necessarily to form part of the future University of Wales.

THE EARL OF KIMBERLEY: My Lords, my noble Friend behind me has stated so fully the reasons at the present time for excluding Lampeter from the Charter that I have but little to add. My noble Friend opposite (Lord Knutsford) has also clearly set forth what were the motives which actuated the Committee of the Privy Council. The Government are only too anxious that the Committee should be an impartial Body, because they naturally desire to do that which is best for the cause of University education in Wales. I wish to point out what has a good deal slipped out of view in the Debate, that St. David's is essentially a Theological College for the education of persons intended to enter Holy Orders in the Church of England. Such a College cannot be regarded simply as a College requesting in the ordinary manner to be admitted into a University, which would be practically a University for general education. We are confronted, therefore, with this difficulty: that if this Theological College is admitted into the University, there will be claims which cannot lightly be set aside from no less than eight other Colleges in Wales giving more or less a theological education. The matter presented itself to the Members of the Committee exactly as my noble Friend opposite (Lord

Knutsford) has stated. We are all agreed that there should be a clause in the Charter which would enable the University hereafter to admit other Colleges. The right rev. Prelate the Bishop of Salisbury seemed to think that there is a good deal in that argument, so he thought proper to move to present an Address against the whole Charter, and from his speech I gather that he is against any Charter of any kind.

THE BISHOP OF SALISBURY said that, in order to get the question in regard to the admission of St. David's settled one way or the other, he would withdraw his Amendment.

Amendment (by leave of the House) withdrawn.

THE EARL OF KIMBERLEY : I am glad the right rev. Prelate has withdrawn his Amendment. That relieves me from the necessity of dealing with it further. There is nothing in the Charter which prevents the consideration of Lampeter's claim hereafter if necessary, and I think sufficient reason has been shown why the Privy Council should have decided to let the Charter go on. I forget how many months afterwards it was that the petitioners came before the Privy Council with the unsatisfactory and vague resolution which they presented. I hope your Lordships will not agree to the Motion.

THE EARL OF CRANBROOK : My Lords, I cannot help feeling that to the course taken by the Conference and Assembly alluded to by my noble Friend opposite, in which he took so important a part, must be attributed the settlement of this Charter.

\*LORD ABERDARE said, they had made different arrangements; that the Charter before them gave to the Crown the powers which the Draft Charter proposed to confer on the Court of Governors.

THE EARL OF CRANBROOK : Then I have been misinformed, and I withdraw my remarks upon that point. But the question is, whether Lampeter was or not in a position to become a member of this University at an earlier period, and to have been included in the Charter without difficulty. It seems to me that everything is taken against Lampeter

upon its Petition. The Privy Council seems to have been put by that Petition in a state of vague doubt as to what its meaning was. A very easy mode of dealing with that would have been to ask what they intended by that Petition, and there would have been no difficulty in getting somebody to answer for Lampeter and say what they were prepared to do. In the case of the Victoria University, no doubt the application of a College for admission is first made to the University, and if the University refuses there is an appeal to the Crown. Here there is a most extraordinary proposition, which is, that the Crown takes the initiative. Who is to take upon them to admit a College into the University? Is it to the President of the Council? Or, who is to petition for it? It must be assigned to some Department in the Ministry. In what way are Colleges to get in? For my own part, I do not see the great objection which has been raised by my noble Friend opposite with regard to other Colleges. If, with distinct kinds of religious teaching, they give a sufficient literary education to bring themselves within the rules of the University, why should not they be admitted? If they give a good secular education while teaching theology according to their own views, why should not their students be admitted to University degrees like other Colleges which have no religious education at all? I really think we are lingering about it without coming to the real point. I rather gathered from my noble Friend's speech that though he possessed great liberality in his own mind, he was too much swayed by the illiberality of others—that he was himself anxious to see justice done to this College, but that there were others hanging to his skirts who would not let him act as freely as he desired. I think, my Lords, we can expedite that desire by agreeing to the Motion.

THE LORD CHANCELLOR (Lord HERSHELL) : I will ask noble Lords to consider for a moment this proposal of the right rev. Prelate that assent should be withheld from this Charter. The proposal is, I think, in the highest degree unreasonable; because, mark, the question is not whether Lampeter College is to be always excluded, but whether the establishment of a University for Wales

is to be delayed until Lampeter shall make up its mind whether it wants to be admitted or not. According to those who have supported its interests to-day, it has scarcely made up its mind yet whether it will become a part of the University. Having been so dilatory, is it fair to ask that the establishment of the University so ardently desired by the Welsh people shall be delayed until arrangements satisfactory to itself shall be made for the admission of Lampeter? I do not suppose it will be contended that Lampeter College, with its present constitution, could be made a constituent part of the University. In order that it might be so admitted, not only must Lampeter give up its Charter with the right of granting degrees, but it must be constituted on an entirely different basis, and the autocratic powers of its Visitor must be modified. If a scheme has been prepared for the admission of Lampeter, whose fault is it that it has not been published? The right rev. Prelate who is its Visitor is said to have two years ago set about drawing up a scheme; but it has not been made public. There is no document yet before the public or the Privy Council which indicates the modifications which Lampeter College is willing to submit to as a condition of its being admitted to the University. Those who support the Motion are asking you to stay your hand in creating this University, because, forsooth, the authorities of this College could not make up their minds whether they would or not take the preliminary steps and do the preliminary work necessary for inclusion in the Charter. That is the issue which your Lordships have to determine, and those who vote for the Resolution of the right rev. Prelate will say that Wales should be kept waiting for the proposed University until Lampeter has made up its mind.

On question? their Lordships divided:  
—Contents 41; Not-Contents 32.

Resolved in the affirmative.

#### FEES IN ELEMENTARY SCHOOLS.

##### QUESTION. OBSERVATIONS.

VISCOUNT CROSS asked the Lord President of the Council whether the Education Department had declined to permit the Goodwin School at Carlisle to

*The Lord Chancellor*

charge a small fee under Section 4 of the Elementary Education Act, 1891; and, if so, whether he was aware that a large number of parents and guardians of children resident in the district were anxious for a school at which higher-class elementary education could be obtained, and also that the said school should not be entirely free? He said, he had been informed that the school was now ready to be opened, and that the Education Department had been asked to sanction a fee of 1d. per week in addition to the grant, under the 4th section of the Act of 1891, by which power was given to allow a fee to be charged where it would be for the educational benefit of the district. Those interested in the school maintained that the proposal would be for the educational benefit of the district; but he was informed that the Education Department had come to a different conclusion both on the point of accommodation in the school and benefit to the district. He would also ask the Lord President whether he would not be pleased to order further inquiry to be made, because he was told by those interested in the matter (which was all he had to guide him) that there were schools in the neighbourhood which afforded ample accommodation.

THE EARL OF KIMBERLEY: It is admitted that there is ample accommodation.

VISCOUNT CROSS said, then that removed one ground of objection. With regard to the other, the educational benefit of the district, a Petition had been sent in to the Education Department stating that—

“The undersigned parents and guardians of children living in the neighbourhood are anxious that the Trustees of the school should establish a high-class elementary day school for infants in the lower standards, and we earnestly hope the Education Department may see their way to sanction the payment of a weekly fee of 1d. in addition to the grant.”

They went on to say that they desired to have a Kindergarten teacher appointed, with the best Kindergarten and other appliances, and that they were willing to pay the fee, for they felt confident it would be of advantage to the children and the district that the school should be so carried on. That Petition was signed by a number of parents who were extremely desirous to have this education



in addition to the elementary education which was absolutely free. If it was for the benefit of the district that this sort of high-class infant school should be established, he hoped, before the Department finally made up their minds upon the matter, they would make inquiries. Living as he did in the district, he felt confident that those who had informed the Education Department in the matter had not come to a wise conclusion. The noble Earl admitted they were wrong on the first point, and inquiry would show that they were wrong on the second.

**THE EARL OF KIMBERLEY:** As to the first point, I do not know who has been wrong. The Inspector's Report is that there is sufficient accommodation. The Inspector says there is no lack of free places in the neighbourhood.

**VISCOUNT CROSS** said, the letter he had received stated that the Education Department had declined to assent, first, because there was not sufficient accommodation in the district; and, secondly, because the new school would not confer the advantage stated.

**THE EARL OF KIMBERLEY:** The Report upon which we must act says that there is sufficient accommodation. Upon that point, therefore, there is nothing really to be said. The question really turns upon the second point. The Inspector states—

"I cannot say that the school will provide any educational benefit not provided by other schools in the neighbourhood."

It appears to be thought by some persons that if they are allowed to charge a fee they are to provide some very superior kind of school. Proper appliances and everything which is needed will be required to be provided by the Education Department free; and there is no reason why public money should be applied for the maintenance of a school which is unnecessary. If there were any educational advantage to be gained by the neighbourhood by the creation of this school, then it comes under the discretionary power of the Department as provided by the Statute. But we fail to see that any educational advantage will be afforded by this school. It is our duty to see that all schools have proper teachers and appliances, and we do not see why money should be provided out of the Public Revenue for the pur-

pose of supplying more advantages than we are bound to give. Therefore, the general view we take is that it is not desirable that these fees should be allowed, though exceptions should, of course, be made in rare cases. There seems to be a desire in some places to use this loophole to escape, as it were, from the requirement of free education; and, therefore, the Department think it necessary to be very chary in permitting exceptions, though it would do so where it was shown to be for the advantage of the neighbourhood. Those are the grounds on which the refusal has been based, and they appear to me to be in principle sufficient.

**VISCOUNT CROSS** said, that knowing the way in which this school had been founded at Carlisle in memory of the late Bishop Goodwin, and the strong feeling in the district, he must ask the noble Earl whether he would not direct further inquiry to be made before coming to a final decision in the matter?

**THE EARL OF KIMBERLEY:** I cannot promise that any inquiry will be made by the Department; but I will myself make some inquiries in the matter.

\***LORD STANLEY OF ALDERLEY** asked how it was, as no amending Act had been passed since the Act giving Fee Grants, the Education Department had been able to make these requirements? They were requirements which trenched upon the privileges of the other House, and did nothing but increase the burdens of the taxpayers by adding taxes.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 254.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Thursday next.

#### ISLE OF MAN (CHURCH BUILDING ACTS) BILL. [H.L.]

Reported from the Standing Committee without Amendment; and to be read 3<sup>a</sup> on Thursday next.

#### PUBLIC HEALTH (LONDON) ACT, 1891, AMENDMENT BILL.—(No. 260.)

Brought from the Commons; read 1<sup>a</sup>; and to be printed. (No. 260.)

House adjourned at a quarter past Seven o'clock to Thursday next, a quarter past Four o'clock.

## HOUSE OF COMMONS,

*Tuesday, 29th August 1898.*

## QUESTIONS.

H.M.S. "ANSON."

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary to the Admiralty whether his attention has been called to the statements made in *The Times* of 27th July, concerning the defective ventilation of H.M.S. *Anson*; whether it is a fact that, although pipes and valves have been provided, a sufficiency of fans has never been fitted to carry out the proper ventilation of the ship; whether it is intended to fit additional fans when the ship next goes into dock; whether any money has ever been voted for that purpose; and, if so, at what time; whether he will consider if the general ventilation of ships of a low freeboard might be improved by a more general use of cowls fixed on the upper decks, removable at the discretion of the officers of the ship; and whether regulations could be made, as is already done in regard to the ventilation of coal bunkers, to prevent the removal of cowls necessary for the effective ventilation of the living quarters of such ships?

\*THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): (1)-(3) Attention has been given to the ventilation of the *Anson* and her sister ships. Experience gained on actual service indicated that when ships were battened down at sea for some time some additional artificial ventilation was desirable. One or two ships of the class were altered, more fan power being introduced; and in these the improved system was tested, with success. It was then decided to alter the other ships as opportunity offered. The *Anson* is now in hand. (4) The work was originally intended to be done in the *Anson* in 1892-3, but had to be deferred. (5) Such arrangements are always carried out as far as practicable. (6) No special regulations are considered necessary. The matter should be within the discretion of the captain.

## POSTAL CHARGES FOR NOTICES OF OBJECTION TO VOTERS.

CAPTAIN NORTON (Newington, W.): I beg to ask the Postmaster General whether instructions were issued to Postmasters to accept notices of objection to voters, if prepaid with a postal fee of one halfpenny and a registration fee of 2d. in accordance with Postal Regulations; and whether in cases where a prepaid postal fee of 1d. and a registration fee of 2d. has been paid, he will order the repayment of the halfpenny overpaid in each case of objection to the person by whom the objection was issued?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): Notices of objection to voters are transmissible at the halfpenny rate when they comply with the Rules as to circulars—i.e., when they contain no written matter except the date of despatch, the name, address, and description of the sender, the name of the addressee, and any necessary corrections. The Post Office Regulations do not require registration. Some of the notices posted this year did comply with these Rules, but others did not, and the latter were liable to letter postage. It was not considered necessary to issue general instructions to Postmasters on this point; but if the hon. Member will give me the particulars of any cases in which the higher rate of postage has been paid unnecessarily the matter shall be inquired into.

## THE DUKE OF CONNAUGHT AND THE ALDERSHOT COMMAND.

MR. BURNIE (Swansea Town): I beg to ask the Secretary of State for War whether it is correct that the Duke of Connaught has been appointed to the chief command of the Army at Aldershot; and, if so, on what grounds he has been selected for this important position?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): General the Duke of Connaught has been selected by the Commander-in-Chief for this position on account of his fitness for its duties, and from the fact that he is practically the senior available officer. His Royal Highness is an officer of varied experience both in Regimental and Staff duties, and he has filled with credit several high

positions, including that of Commander-in-Chief in Bombay.

**Mr. ALLAN (Gateshead):** May I ask the right hon. Gentleman how many months in the year the Duke of Connaught was absent from his duties when in command at Portsmouth?

**Mr. DALZIEL (Kirkcaldy, &c.):** Will the Duke receive the salary of a General or of a Lieutenant-General at Aldershot?

**Mr. A. C. MORTON (Peterborough):** May I ask the right hon. Gentleman what he means by saying that the Duke of Connaught is "practically the senior officer" in the Army? Will he also tell us what experience the Duke of Connaught has had in real fighting?

**\*Mr. CAMPBELL-BANNERMAN:** When I said that he was practically the senior officer I meant that there were one or two General Officers senior to him, who in one sense might be available, but who at present are discharging duties from which it is not desirable that they should be removed. With regard to the pay, it will be that of a Lieutenant-General, being a Lieutenant-General's command. My hon. Friend asks me how long the Duke of Connaught remained at Portsmouth.

**Mr. ALLAN:** How long he was absent from his duties there?

**\*Mr. CAMPBELL-BANNERMAN:** That is another side of the same question. From domestic circumstances the Duke of Connaught's family lived out of Portsmouth; but I believe that the Duke was very little out of the district which he commanded, although he may have slept away from Portsmouth itself during some of the time he held that command. As to the last question, I forget—

**Mr. A. C. MORTON:** About fighting?

**\*Mr. CAMPBELL-BANNERMAN:** The Duke of Connaught, as a glance at the Army List will show, commanded a brigade in the Egyptian Expedition, which is, I believe, the only opportunity he has had during his career of taking part in active warfare.

**Mr. A. C. MORTON:** With regard to the Egyptian Expedition, will the right hon. Gentleman be good enough to

say how near or how far the Duke was from the actual fighting?

**Mr. ROSS (Londonderry):** Will the right hon. Gentleman say whether there is any other officer in Her Majesty's Service who has had as much experience as the Duke of Connaught in all branches of the Service?

**\*Mr. CAMPBELL-BANNERMAN:** I would not say that there is no other officer. I have already said that the Duke of Connaught has had a most varied experience in different capacities.

**Mr. ALLAN:** May I ask whether it is according to the Army Regulations that a Commander-in-Chief may live away from his command?

**\*Mr. CAMPBELL-BANNERMAN:** I am not aware what the exact Regulations are in that respect; but, as I have already explained, the Duke of Connaught did not live out of his district. He was not absent from the district in which his duties were discharged, and was constantly within a very short distance of headquarters.

**Mr. A. C. MORTON:** This is so unsatisfactory that I beg to give notice that I shall call attention to the matter on the Army Estimates.

#### THE ABERAVON BOAT CATASTROPHE.

**Mr. LLOYD MORGAN (Carmarthen, W.):** I beg to ask the President of the Board of Trade whether his attention has been called to a very serious accident which occurred on the 6th instant at Aberavon, in the County of Glamorgan, owing to the overcrowding of a boat used for hire, whereby many lives were lost; whether he is aware that complaints have been made in the public Press of the County of Carmarthen that the ferry boats which ply between Ferry-side and Llanstephan in that county are from time to time, especially on bank holidays, so overcrowded as to seriously endanger the lives of the passengers; and whether the boats used by the lessee of the Llanstephan Ferry are registered by the Board of Trade; if not, whether there is any mode of compelling the lessee to have his boats registered, which would limit them to carrying a fixed number of passengers and no more?

**THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside):** My attention has been

called to the regrettable accident to which the hon. Member refers; but the Board of Trade have no control over pleasure boats let for hire. I understand they are subject to bye-laws made by Local Authorities. I have had no complaints with regard to the ferry boats to which the hon. Member alludes. These boats are not registered by the Board of Trade. I am, however, making further inquiries in the matter, and will communicate with the hon. Member when these inquiries are completed.

#### PENSIONERS IN THE POST OFFICE.

MR. POWELL-WILLIAMS (Birmingham, S.): I beg to ask the Postmaster General how many men in receipt of pensions, on account of service in the Army and Navy and in the Royal Irish Constabulary, are employed at the present time under the Irish Post Office?

MR. A. MORLEY: There is no information at the General Post Office which would enable me to answer the hon. Member's question. It would be necessary to apply to each Office in Ireland, and the inquiry would occupy much time, and would give considerable trouble.

MR. POWELL-WILLIAMS: Can the right hon. Gentleman say if the number of pensioners employed in the Irish Post Office is large or small?

MR. A. MORLEY: I have no information on that point. Does the hon. Member include the Army Reserve men in the term "pensioners"? We have no special information as to Army pensioners as apart from Army Reserve men.

#### THE NEWFOUNDLAND FISHERIES.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for the Colonies why so much delay occurred in presenting the Further Correspondence respecting the Newfoundland Fisheries, repeatedly asked for in both Houses of Parliament, seeing that the last Despatch, and that a short one, contained in the volume is dated 23rd May last; whether he is rightly reported in *The Times* and other papers as having said, in reply to a question put to him on Friday last, that the action taken by the Commander of H.M.S. *Pelican* in preventing the inhabitants of St. George's Bay selling herrings except to the French, and in fixing the price of

herrings, was "under a discretion conferred by Treaty"; if so, whether the Treaty of Utrecht was intended, and, in that case, which of its words; and how a Treaty could confer any such powers on any person in a self-governing Colony possessing representative and responsible institutions?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): In reply to the first part of the question, the presentation of the Papers appears to have been promised by Lord Ripon on June 29. They were taken in hand at once, and went to the printer on July 14. A month later—August 17—they were on the Table of this House. The right hon. Gentleman is, doubtless, aware that the Papers would receive careful examination by the Foreign Office as well as the Colonial Office, and that communication with the French Government would be necessary, so that there has been no exceptional delay. In regard to the second part of the question, I must have been misreported, for I did not refer to the Treaty, but stated that the Commander in question was acting in his discretion in issuing the order in question, and, as he believed, and as it proved, in the interests of the inhabitants of the district.

SIR C. W. DILKE: In regard to the first paragraph, may I ask my hon. Friend if he is aware that before the promise of the Papers in the House of Lords he stated that they could not be presented in this House with due attention to the demands of the Public Service? That is the point on which I wish to press him.

MR. S. BUXTON: In reply to a question put by my right hon. Friend, I did state it was premature to present the Papers because they were not complete. They were promised on the 29th June in the House of Lords. As much expedition as possible has been observed. The last Paper was dated the 23rd May, and we were not at all sure, and rather expected, indeed, a reply to it.

MR. A. C. MORTON: What does the hon. Gentleman mean by the "discretion" of this officer in fixing the price of herrings?

MR. S. BUXTON: The position is this. Under the Treaty, or rather under the Declaration which accompanied the



Versailles Treaty, the French were allowed an unrestricted right of catching their own bait. The Commander in this particular case came to an arrangement with the French that instead of exercising this undoubted right the inhabitants themselves should catch the bait and sell it to them. He believed that to be in the interests of the inhabitants, and as far as the Government knew it had given satisfaction.

SIR C. W. DILKE: But was not the right a concurrent right?

MR. A. C. MORTON: What discretion had the Commander to fix the price of herrings?

MR. S. BUXTON: As I understand it he was acting—or believed he was acting—in conformity with the discretion conferred upon him by the English Government and by the Admiralty in regard to this matter, and in order to avoid all difficulty between the French and the Newfoundland fishermen?

MR. A. C. MORTON: Will the hon. Gentleman be good enough to give orders to this officer not to take upon himself any such discretion as to fixing the price of articles of food?

MR. S. BUXTON: The Commander is not under the control of the Colonial Office.

MR. WOLFF (Belfast, E.): Could the officer prevent the Newfoundlanders from catching herrings if he wished?

MR. S. BUXTON: Only so far as to prevent them interfering with the right of the French. He believed he was acting in the interests of the inhabitants themselves, and that it would be more to their advantage to catch the bait and sell it to the French than for the French to catch it.

MR. WOLFF: The officer may have believed it was in the interests of the inhabitants, but did the latter think it was in their interest?

MR. S. BUXTON: As far as I can learn, the action of this Commander has given great satisfaction to the inhabitants of the district. We have had no complaints whatever, and we think it was of great advantage. At all events, it avoided all dispute between the inhabitants and the French.

#### APPOINTMENTS TO POSTMASTERSHIPS.

MR. THEOBALD (Essex, Romford): I beg to ask the Postmaster General what is the practice in submitting to him applications for Postmasterships; whether all applications are laid before him, or only those that meet with the approval of the Heads of Departments or Postmasters; whether any intimation is given to candidates when their applications are withheld from him; whether he can state the number of applications made for the Postmastership of Dalkeith, recently given to the daughter of the retiring Postmaster; and whether the majority of candidates possessed the necessary qualifications, and were in receipt of higher salaries than 24s. a-week, which was the salary of the successful candidate before her appointment to the post?

MR. A. MORLEY: All applications for vacant Postmasterships are submitted to me. There were 76 applicants for the Dalkeith office, 68 of whom were reported upon favourably. All but 13 of the applicants were in receipt of salaries exceeding 24s. a week. Miss Macpherson was the daughter of the Postmaster, and had managed the office for some years past. She had been for 23 years engaged at the Dalkeith Post Office, for the last 10 of which she acted as sorting clerk and telegraphist, and at the time of the vacancy was the senior on the staff. I may add that there was a strong local Memorial in her favour.

#### THE SALE OF INTOXICANTS ON EXCURSION STEAMERS.

MR. BROOKFIELD (Sussex, Rye): In the absence of the hon. Member for Hastings, I beg to ask the Chancellor of the Exchequer whether the Liquor Traffic (Local Control) Bill of Her Majesty's Government will contain provisions for the local control of the liquor traffic on board excursion steamers at seaside places, or whether the proprietors of those vessels will be permitted, as at present, to obtain their licence to sell intoxicating liquors direct from the Excise Authorities, and without the intervention of any Local Authority?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): The Liquor Traffic (Local

Control) Bill strictly applies only to licences issued by Justices, and not to Excise licences. The point, however, to which the hon. Member refers is one very worthy of consideration, which shall be given to it.

MR. BARTLEY (Islington, N.): May I ask whether the Local Veto Bill is to come on before the Recess or in the Autumn Session?

SIR W. HARCOURT: That will depend a great deal upon the hon. Member.

#### WELSH TITHE DISTRAINTS.

MR. REES-DAVIES (Pembroke-shire): I beg to ask the Secretary of State for the Home Department whether he is aware that in a case recently tried before Judge Bishop in the County Court of Newcastle Emlyn, Cardigan-shire, an important point of law was raised and adjudicated upon as to the right of a bailiff to effect an entrance into premises by climbing over fences in levying distrains for tithe, and that a fine of £5 was imposed upon the defendant, who has entered an appeal against the judgment of the County Court Judge; whether he is aware that the Treasury has now taken up the case on appeal for the bailiff of the County Court, notwithstanding that a solicitor had been engaged and counsel instructed on the bailiff's behalf; and whether he will state under whose authority these proceedings were taken; and whether he will take steps to prevent such action on the part of the Treasury in interfering with civil proceedings?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): Since my hon. Friend last put this question, I have had an opportunity of considering the matter in consultation with the Attorney General. The bailiff being an officer of the Court, it appears that the Registrar applied to the Superintendent of County Courts for legal assistance on his behalf in the usual manner, and the application was granted in ordinary course, without any reference either to the Attorney General or myself. We are of opinion that the circumstances of the case are exceptional, the object of the appeal being, as we understand, to test the accuracy of an opinion given by the Law Officers, which was apparently being

acted upon by the appellant. The briefs have been delivered, but the Attorney General will give directions that the case shall be argued on behalf of the bailiff, not by the Treasury Counsel, but by the counsel whom he himself originally caused to be instructed.

#### ABSTRACTORS IN THE CIVIL SERVICE.

SIR R. TEMPLE (Surrey, Kingston): I beg to ask the Secretary to the Treasury, in reference to the Rule as to the salary at which writers take up their appointments as abstractors, whether, in one office, one or more men with only a few years' service commenced at £150 per annum, whilst others in the same Department, with nearly 20 years' service, have commenced at very much lower salaries, although the duties to be performed in each case are identical; will he explain why it is that in other Offices, where the duties to be performed are also of an identical nature, some have commenced at £90, plus their bonus; in another Office the commencing salary has been made equivalent to the total earnings during the year preceding appointment, plus bonus; whilst in another Office the commencing salary of men of 10 years' service was fixed at 7s. per day, and for men of over 20 years' service at 8s. per day, although the duties to be performed in each case are of a similar nature; and whether the Government would take into their favourable consideration the cases of men of very long service, and allow all those with over 17 years' service to commence at £150 per annum, or 10s. per day, this sum being equivalent only to an annual rise of £4?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The salaries of abstractors or assistant clerks commence at £80, but copyists appointed to those posts carry with them, according to the ordinary practice of the Service, any higher salary (not exceeding £150) that they are receiving at the time. The salary includes any bonus earned as copyists, and therefore already recognises length of service. The steps taken have been greatly for the advantage of the men concerned, and, as I stated on the 12th of June, it is not possible to make any change.

*Sir W. Harcourt*

## THE CASTLECOMER COLLIERY.

MR. M'DERMOTT (Kilkenny, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the great dissatisfaction at Castlecomer, County Kilkenny, owing to the large number of men who are now only employed on short time at the colliery there; and considering that this is the principal colliery in Ireland, and that the short time employment is due to the want of proper means of transit, and the consequent accumulation of coal on the banks, whether he will make inquiry with the view of placing before the Treasury the urgent necessity of connecting Castlecomer by railway with the main line to Dublin?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): So far as I have been able to ascertain, there is no dissatisfaction among the colliers employed at these coal pits. Some of the men were not working full time at one pit owing to a temporary disablement of the machinery; but at all the other pits the men, I understand, are working full time. The accumulation of coal on the banks is due, no doubt, mainly to the want of proper means of conveyance, and some years ago a scheme was proposed for the construction of a railway as suggested in the question. This scheme came before the Committee of the Privy Council in January, 1885, and it was decided that the evidence did not warrant a recommendation of the scheme, inasmuch as, though the railway might be useful to the collieries, it was really a matter for private enterprise, and its general importance was not such as to warrant the taxing of a whole barony.

## THE COLLOONEY AND CLAREMORRIS RAILWAY.

MR. COLLERY (Sligo, N.): I beg to ask the Secretary to the Treasury whether he is aware that the occupier of the grounds covered by the Collooney and Claremorris Railway voluntarily surrendered their lands nearly three years ago in order to facilitate the construction of the railway as a relief works; that agreements were at that time entered into between the Board of Works and the occupiers saving the rights of the latter under "The Railway

(Ireland) Act, 1851," and providing that they should in due course receive full legal compensation which would include a proper abatement of rent; whether, beyond a payment of account made when the lands were surrendered, any further compensation has since been paid; and whether any steps have yet been taken to keep faith with the people, and to give them the full compensation and abatements to which they are entitled?

SIR J. T. HIBBERT: The occupiers gave up their lands for the purposes stated, on being paid what the valuers then appointed considered they were entitled to, without prejudice to their rights under the Act of 1851 quoted. To appoint an arbitrator under that Act, the Waterford and Limerick Company have to lodge plans and schedules and apply to the Board of Works, and this they are now almost in a position to do. The Board have done everything in their power to expedite the appointment of an arbitrator, and will see that it is done; and every occupier will have an opportunity of going before the arbitrator to claim further compensation, and such abatement in rent as the arbitrator may award and direct.

MR. CLANCY (Dublin Co., N.): Does the right hon. Gentleman consider three years a reasonable period to allow the work to be done?

SIR J. T. HIBBERT: I think it is a long time.

MR. SEXTON (Kerry, N.): What has caused the delay in the appointment of the arbitrator?

SIR J. T. HIBBERT: I believe the delay has been on the part of the Railway Company in preparing the Schedule.

MR. FIELD (Dublin, St. Patrick's): Will the right hon. Gentleman take steps to compel the Railway Company to do its duty?

SIR J. T. HIBBERT: I cannot take steps to coerce the Railway Company. The hon. Gentleman had better put that question to the Board of Trade.

MR. FIELD: I will ask it of the President of the Board of Trade.

## DRIVERS' LICENCES IN THE METROPOLIS.

CAPTAIN NORTON: I beg to ask the Secretary of State for the Home Department whether, seeing that great

inconvenience and frequently the loss of a day's wage is entailed upon the drivers and conductors of omnibuses and tramcars throughout the Metropolis owing to their ignorance of the fact that it is not necessary for them to attend at New Scotland Yard in order to obtain a renewed licence, but that this can be obtained at the police station nearest to the address of the licensee, he will take steps to have this information brought to their notice by means of Circular or otherwise?

MR. ASQUITH: The Commissioner has now under his consideration certain details in connection with this question; and as soon as they are settled steps will be taken to inform drivers and conductors generally as to the course to be pursued in respect of the renewal of their licences.

#### THE BERKHAMSTED AUXILIARY POSTMAN.

MR. SAUNDERS (Newington, Walworth): I beg to ask the Postmaster General whether the duty of an auxiliary postman at Berkhamsted, who attends the office at 6.15 a.m., finishes at 9.15 a.m. after eight miles rough country walking, and who performs a second delivery at 3 p.m. with a 4.45 finish, averaging  $4\frac{3}{4}$  hours daily with a weekly wage of 8s. 6d., or  $28\frac{1}{2}$  hours' work at the rate of about  $3\frac{1}{2}$ d. per hour, entitles him to a full uniform and boots; whether this duty and pay are typical of a large class, who are in receipt of wages less even than the market rate for unskilled labour; and whether he intends, in accordance with former promises, to merge those who are eligible into the establishment, and whilst making redundant those who are not eligible to grant them a better living wage, full sick pay, and uniform?

MR. A. MORLEY: Inquiries are now being made as to the duties of the auxiliary postmen at Berkhamsted, and I will send the hon. Member the information he desires as soon as possible.

#### IRISH RAILWAY AND BANKING STATISTICS.

MR. THORNTON (Clapham): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will arrange to have the Return of Irish Railway and Banking Statistics for the past

*Captain Norton*

half-year, which was laid upon the Table of the House on the 17th instant, circulated amongst Members during the present week?

MR. J. MORLEY: Copies of the Return in question are now to be had on application at the Vote Office.

#### BOMBARDING CRANMERE POOL.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for War whether he can now state the result of his inquiry as to the recent bombardment of Cranmere Pool, Dartmoor; and, in particular, whether any measures were taken to warn pedestrians approaching the pool from the direction of Chagford?

\*MR. CAMPBELL-BANNERMAN: Precautions, which have hitherto been found sufficient, were taken. Danger flags were hoisted in the usual places, and in addition advertisements were inserted in the local papers; and a shepherd, a keen-sighted man, employed as a range clearer, was posted on Steeperton Tor, which lies between Chagford and Cranmere Pool. As, however, these precautions do not appear to have been sufficient, the General Officer Commanding the Western District will be instructed to take further precautions in future.

#### ARTILLERY PRACTICE OFF PLYMOUTH.

MR. PICKERSGILL: I beg to ask the Secretary of State for War whether his attention has been drawn to a statement that recently, as the tender *Sir Richard Grenville* was proceeding to the Cape Mail Steamer *Dunottar Castle*, upon the arrival of the latter at Plymouth, two projectiles (220 lb. shot) were fired from Fort Pucklecombe across the tender's bows, and a third under her stern, ricocheting in front of the port bow; and that subsequently, as the *Dunottar Castle* was making for Cawsand Bay, a shot struck the water ahead, and a second fell within 300 yards, creating great confusion among the passengers, and that two other shots followed; and whether any inquiry has been made respecting the truth of these allegations; and, if so, will he state the result of such inquiry?

\*MR. CAMPBELL-BANNERMAN: I have called for a Report on the subject of the hon. Member's question.



LORD KINTORE.

MR. HENNIKER HEATON (Canterbury) : I beg to ask the Under Secretary of State for the Colonies whether he has yet received a Despatch from the Chief Secretary of South Australia on the subject of the appointment of a successor to Lord Kintore ; if so, will he give the date of the Despatch ; whether the Secretary of State for the Colonies telegraphed to the Earl of Kintore requesting him to continue in the office of Governor of South Australia for one year more ; whether he has received a reply to the telegram ; and whether he is now in a position to publish the tenour or nature of the Despatch or communication from the Chief Secretary of South Australia, and what reply has been given to it ?

MR. S. BUXTON : The Secretary of State learnt with regret some time ago that Lord Kintore understood that his term of office was five years. The regular term for Colonial Governors is six years, and it is very desirable that it should as far as possible be maintained, especially in the case of a Governor who has discharged his duties so ably. The Secretary of State intimated to Lord Kintore his hope that he would remain his full time. No answer has yet been received from him. A Despatch from the Governor (Lord Kintore) to the Secretary of State was received yesterday, and is under consideration. It encloses a Memorandum from the Chief Secretary of the Colony, dated July 11, addressed to the Governor, which is probably the Paper the hon. Member is asking about. No answer has yet been given.

THE DEER FOREST COMMISSION.

MR. WEIR (Ross and Cromarty) : I beg to ask the Secretary for Scotland whether instructions will be given that the facts collected by the Deer Forest Commission with respect to the former and present extension of deer forests and sheep farms, and with respect especially to lands which have been, or might be, occupied by crofters, be not merely recorded in the Report of the Commissioners, but visibly presented in colours, or otherwise, upon map sheets corresponding to those of the Ordnance Survey of the districts visited ?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) : The Commission, as they proceed with their work, are in the course of preparing maps, which will fully explain the Report which they will submit.

DR. MACGREGOR (Inverness-shire) : I beg to ask the Secretary for Scotland whether he can now state approximately when the Deer Forest Commission will be able to report to the House on the subjects referred to it for consideration ; whether the Crofters Commission could make such arrangements as will lead to the more rapid progress of fixing fair rents in the districts not yet overtaken ; and whether the Government will take steps without delay to legislate on the Land Question in the Highlands, and thus meet the requirements of the fishing and agricultural population ?

SIR G. TREVELYAN : The Commission cannot report at present, but, by the light of the experience of the heavy and important work which they have done, they are considering the best means for expediting their work in the future. The Commissioners have now only 787 fair rents to dispose of. Of these, a large number will be cleared by the end of the year. I fear that it must be evident to the hon. Member that the Government cannot find time at present to introduce crofter legislation.

DR. MACGREGOR asked whether the right hon. Gentleman was aware that, in consequence of the delay, the Highland people were losing confidence in the Government—the sympathy of the Conservative Party with that remark was suspicious—and whether nothing could be done to press forward the work of the Commissioners ?

SIR G. TREVELYAN : The Commissioners are at this moment engaged considering how they may proceed faster. But they have proceeded very fast indeed. They have thoroughly examined all the Island of Skye and all the great deer forests of Inverness-shire and Ross-shire. They are now engaged in Caithness-shire, and they hope they will have done both that county and Sutherlandshire by the end of this season. I think that is an immense amount of work, when you consider that every one of the Commissioners has visited every one of these districts.

DR. MACGREGOR thought, in view of the fact that the Commission had been appointed nearly a year, it was time something was done.

MR. WEIR asked whether the Commission would include the Island of Lewis in the district of Sutherland and Caithness?

SIR G. TREVELYAN: Caithness and Sutherland are the two districts the Commission is next going to deal with. I cannot say what they will do after that.

MR. A. C. MORTON asked whether the Report of the Commission would be ready for the Autumn Session?

SIR G. TREVELYAN: The hon. Member will see from the replies I have already given that it is absolutely impossible.

#### THE REPAIR OF MACADAMISED ROADS.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the First Commissioner of Works whether his attention has been given to the method now being pursued in preparing the macadamised roads in Hyde Park, whereby the road is first lightly picked up and is then covered with a thick layer of stones which are rolled into it by heavy steam rollers without any sand to bind the stones together, the effect of which is to cause the surface of the road when completed to consist almost entirely of stones packed closely together and forming a crust without any elasticity, affording no good foothold for horses, and liable to flake off, leaving holes; whether he will direct this system to be bettered by rolling a certain quantity of sand in together with the stones instead of merely spreading it over them afterwards; and whether he will instruct his subordinates to revert to the principles of road-making by gradual accretions of small stones well bound together, as taught by the late Mr. Macadam?

THE FIRST COMMISSIONER OF WORKS (MR. SHAW LEFEVRE, Bradford, Central): The hon. Member is under a misapprehension as to the best method of repairing roads. Before the days of steam rollers it was necessary to follow Mr. Macadam's plan of breaking up the stones into very small sizes. But with steam-rollers this would not answer, and it is found far better and cheaper that the

stones should be of a larger size. Sand is largely used for the interstices. The work is done under the direction of skilled officers who have made a study of it, and who thoroughly understand their business. They will, I doubt not, be glad at any time to give the hon. Member a lesson in road-making.

MR. GIBSON BOWLES: But is it not a fact that the foremen in charge of this road-making are strongly in favour of the course I have advocated in using more sand in order to bind the stone and to prevent the road becoming a tessellated pavement? I have not said anything about the size of the stones.

MR. SHAW LEFEVRE: I have not consulted the foreman, but I have consulted the officer in charge of the work.

#### THE "MAJESTIC'S" COAL-CARRYING CAPACITY.

SIR E. HARLAND (Belfast, N.): I beg to ask the Secretary to the Admiralty, in the *Majestic*, how many days' coal will the bunkers (proper) contain for steaming at full speed; and when so coaled, and otherwise fully equipped for sea, what will be her greatest draught of water?

\*SIR U. KAY-SHUTTLEWORTH: There are three conditions which may be described as "full speed steaming." Starting with bunkers full, at the estimated rates of consumption, the coal supply would last—First condition: Contractors' 4 hours' trial, with moderate forced draught,  $17\frac{1}{4}$  knots to  $17\frac{1}{2}$  knots—about 6 days. Second condition: Contractors' 8 hours' trial, with natural draught,  $16\frac{1}{2}$  knots—about 7 to  $7\frac{1}{2}$  days. Third condition: Continuous steaming at sea over long distances under working conditions, and with ordinary coals,  $14\frac{1}{4}$  knots to  $14\frac{1}{2}$  knots—about 11 days. The first and second conditions are not such as can be guaranteed to be maintained over very long periods at sea. The third condition is the least that would be regarded as satisfactory. The greatest draught of water of the *Majestic*, when so coaled and otherwise fully equipped for sea, will be 29 ft. 3 in.

SIR E. HARLAND: What is the number of tons the bunkers hold?

SIR U. KAY-SHUTTLEWORTH: I gave the figures last night. I have not them in my possession at the present moment.

DR. GALLAGHER.

MR. CLANCY : In the absence of the hon. Member for Waterford, I beg to ask the Secretary of State for the Home Department whether any medical experts have, at his instance, examined into the state of mind of Dr. Gallagher, one of the prisoners now confined in Portland convict establishment ; and, if so, whether he will state their names and the result of their examination ?

MR. ASQUITH : Yes, Sir. Gallagher was, on the 5th of this month, at my direction, examined by one of our most eminent authorities in mental disease, Dr. Hack Tuke. The result of Dr. Tuke's examination was entirely in accordance with the Reports previously made to me by the medical officers of the prison. All agree that the convict exhibits no symptoms of mental unsoundness.

THE TREASON-FELONY CONVICTS.

MR. CLANCY : I beg to ask the Secretary of State for the Home Department, with reference to the case of John Daly and the other treason-felony prisoners now confined in Portland, whether he has considered the question of releasing them in connection with the case of the Walsall Anarchists now also in prison ; and whether it is a fact that the Walsall prisoners were convicted of and sentenced for the same crime as that for which John Daly and the other prisoners referred to were sentenced, though convicted only of treason-felony, and that, while the severest sentences in the former case did not exceed 10 years' penal servitude, the sentences in the latter case were all, or nearly all, sentences of penal servitude for life ; and, if so, and in view of the fact that if John Daly and his fellow-prisoners had been sentenced only to the same term of penal servitude as that meted out to the Walsall prisoners they would be now entitled to their discharge, he will consider their whole case afresh with a view to their release ?

MR. ASQUITH : The hon. Member compels me to repeat an answer which I gave to one of his colleagues a few days ago. As I stated then, each case must be judged upon its own merits and with reference to its own circumstances ; and for reasons which I explained earlier in

the Session, and with a full knowledge of the case to which the hon. Member refers, I am of opinion that the time has not come when I can interfere with any of these sentences.

MR. CLANCY : Is the statement in the last part of the question correct ? Would not these convicts, if they had had the same terms of imprisonment as the Walsall men, have now become entitled to their discharge ?

MR. ASQUITH : Certainly, but then the sentences were not the same.

THE MERIONETHSHIRE EDUCATION SCHEME.

MR. STANLEY LEIGHTON (Shropshire, Oswestry) : I beg to ask the hon. Member for Merionethshire, as a Charity Commissioner, whether, considering that the Welsh Intermediate Education Bill of 1889 was amended in Committee so as to permit denominational services in boarding houses, and that Clause 92 of the Merionethshire Scheme prohibits such services, he will refer Clause 92 to the Law Officers of the Crown with a view of obtaining their opinion as to its legality ?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire) : The clause in the Scheme for the County of Merioneth, to which the question of the hon. Member is intended to refer, is probably Clause 91, and not Clause 92. The Charity Commissioners have no doubt as to the legality of the provisions of Clause 91 of this Scheme, and, consequently, consider it to be unnecessary to adopt the course suggested in the question.

THE IRISH LABOURERS' ACTS.

MR. CLANCY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the Report of Mr. W. P. O'Brien to the Labour Commission on the condition of Irish agricultural labourers, and especially to the portion of that Report which deals with the delays incident to the carrying out of the Irish Labourers' Acts ; and whether he will consider the propriety and expediency of taking an early opportunity of proposing legislation to diminish not only the delays referred to, but the expense attendant on

the investigations preliminary to the erection of labourers' cottages?

MR. J. MORLEY: I have read the Reports submitted to the Labour Commission both by Mr. O'Brien and by Mr. Richards. The suggestions for making the procedure at once quicker and less costly seem to have much evidence in their favour. I hope to have an occasion very shortly of giving personal consideration to the subject, and examining whether, even without legislation, something cannot be done by different administrative practice.

#### ARMY MEDICAL TRAINING.

MR. A. C. MORTON: I beg to ask the Secretary of State for War whether the War Office, in allotting bearer company and field hospital equipment to various garrisons for training the Medical Service of the Army, will include Netley in the distribution, so that the medical officers for the Indian Army can benefit by instruction there?

\*MR. CAMPBELL-BANNERMAN: The officers of the Imperial Medical Service receive their special training in ambulance and hospital field duties at Aldershot. The question as to the sufficiency of the training of Indian medical officers is one for the Government of India.

#### CHOLERA IN HULL.

MR. MACDONA (Southwark, Rotherhithe): I beg to ask the President of the Local Government Board whether he is aware that, on the 24th instant, a boy, named James Henry Fortman, aged 11 years, died of Asiatic cholera at Havelock Terrace, Dansom Lane, Hull, in the midst of a densely-populated part of the town; and can he inform the House how the disease was imported, or where it originated?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir W. FOSTER, Derby, Ilkeston): As additional circumstances have come to light, the Government have sent down Inspectors to Hull to inquire into the case.

#### MASHONALAND.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for the Colonies whether any steps have been taken to provide a suitable military force for the

relief of Her Majesty's subjects in Mashonaland should occasion arise?

MR. S. BUXTON: I must refer the hon. Member to the answers I gave yesterday, and I have, at present, nothing further to add.

SIR E. ASHMEAD-BARTLETT: The hon. Gentleman has misconceived, I think, the object of my question, which is whether Her Majesty's Government have taken any steps to provide a suitable military force in Mashonaland in case the necessity should arise? If he is unable to answer, I will put it to the Secretary of State for War.

MR. S. BUXTON: The answer I gave yesterday to an almost identical question was to the effect that the responsibility for the maintenance of peace, law, and order in Mashonaland rests upon the British South Africa Company. They are prepared, as we understand from Sir H. Loch, through Mr. Rhodes, to carry out their obligations under their Charter. They ask for no help, and no help has been offered them. And the position at the present moment is this—there are no impiis raiding in that part of Mashonaland in which the British South Africa Company have their active operations, and we hope that there will be no necessity for any further action on the part of the Company at the present moment. At all events, Her Majesty's Government under, the Charter, are entitled to object to any aggressive action on the part of the Company. That position we have taken up and shall maintain.

SIR E. ASHMEAD-BARTLETT: I understand the hon. Member to say that, in the opinion of the Queen's Government, the Chartered Company are responsible for the protection of British subjects in Mashonaland?

MR. S. BUXTON: Yes.

SIR E. ASHMEAD-BARTLETT: Then the question I should like to ask either the hon. Member or the Prime Minister is this—Are we to understand that the British Government repudiate any share in the duty of protecting the considerable number of British subjects now in Mashonaland, and who may at any moment be subject to grievous danger?

\*MR. S. BUXTON: I have already said that the responsibility for the protection of the British colonists in

*Mr. Clancy*



Mashonaland rests upon the British South Africa Company. We understand that Mr. Rhodes, as representing the Company, has informed Sir H. Loch that they are in a position to protect the people under their charge. All the action we have taken in the matter is that Her Majesty's Government have stated that they have power under the Charter to interfere in any quarrels between the Company and the Chiefs, and will not allow any aggressive action on the part of the Company without their first obtaining the sanction of the Government.

MR. W. JOHNSTON (Belfast, S.): Has the hon. Gentleman seen a letter in *The Times* of this morning from the Bishop of Derry, in which the perilous condition of the British subjects in Mashonaland was pointed out?

MR. S. BUXTON: My attention has not been drawn to the letter referred to by the hon. Member, but I will take care to read it.

SIR E. ASHMEAD-BARTLETT: I wish to ask the right hon. Gentleman the Prime Minister whether the House is to understand that the Government of which he is the head repudiate all responsibility for the safety of British colonists in Mashonaland?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): I think it would be better that I should communicate with my noble Friend the Secretary of State for the Colonies before I answer that question.

#### CORDITE.

MR. HANBURY (Preston): I beg to ask the right hon. Gentleman the Secretary of State for War a question of which I have not given notice, and which I will postpone if necessary—namely, whether, in view of the communication which appears in *The Times* of to-day, and in justice to all concerned, especially to certain War Office officials whose conduct has been impugned, the right hon. Gentleman will put down for one day next week a special Army Vote in order to bring to a definite issue the questions that have arisen in connection with the cordite patents?

\*MR. CAMPBELL-BANNERMAN: I do not know how the communication to which the hon. Member refers affects the matter; but I recognise the

importance of the general question, and I shall be very glad, if possible, to give an opportunity for discussing it. I am, however, at a loss to know upon what Vote the question can be raised, seeing that the Stores Vote has been passed. I will see what arrangements can be made when the Army Estimates come on.

MR. HANBURY: One does not like to have charges of this kind hanging over one's head. Could not the right hon. Gentleman spare us half a day next week?

\*MR. CAMPBELL-BANNERMAN: I cannot say what will be the arrangement of Public Business for next week.

MR. J. LOWTHER (Kent, Thanet): Is it intended to take the Army Estimates before the Civil Service Estimates?

\*MR. CAMPBELL-BANNERMAN: I cannot say.

MR. J. LOWTHER: Can the Prime Minister tell us in what order the Estimates will be taken?

MR. W. E. GLADSTONE: I should like to have notice of that question.

#### SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Ordered, That the proceedings of the Committee of Supply on Navy Estimates, Vote 8, if the Committee be sitting at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House.—(*Mr. Chancellor of the Exchequer.*)

#### ORDERS OF THE DAY.

##### SUPPLY.—COMMITTEE.

SUPPLY—considered in Committee.

(In the Committee.)

##### NAVY ESTIMATES, 1893-4.

Motion made, and Question proposed,

"That a sum, not exceeding £1,797,000, be granted to Her Majesty, to defray the Expense of the Personnel for Shipbuilding, Repairs, and Maintenance, including the cost of Establishments of Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1894."

MR. A. C. MORTON (Peterborough) said, he was well aware of the fact that they could not expect the Government this year to find adequate time for the discussion of the Estimates, but he

trusted that they would be allowed to debate matters of emergency. Personally, he had no desire to take up much time. He wished on this occasion to continue the remarks he was making when interrupted by the Rules of the House on the previous evening, and to call attention to the subject of money-lending in dockyards on which the hon. Member for Preston (Mr. Hanbury) dwelt in his speech, and as to which no answer had been given by the Secretary to the Admiralty. The County Court Judge at Sheerness had animadverted very strongly on the practice of lending money which prevailed in the dockyards, and he was sure the Committee would agree that the Government ought to put an end to an abuse of this nature. They had endeavoured to stop gambling in the Army and in the Navy, and now he hoped they would prevent money-lending in the dockyards. To pass to another subject, he wished to say it seemed to him that the office of Admiral Superintendent at Portsmouth, Chatham, and Devonport respectively was a great scandal. He had intended to move a reduction and to take a Division in regard to this, but, owing to the lateness of the Session, he would not now do so. He trusted, however, that the Government would take steps for the abolition of the office at all three places. Economies should begin by getting rid of the idlers at the top of the tree, and not by discharging a few poor workpeople whose wages averaged perhaps 15s. a week at Portsmouth, Devonport, and Chatham. He was told that they had Admirals as well as Admiral Superintendents, and, in his view, the Admirals at the three places named might well be left to discharge any duties which now fell to the lot of the Admiral Superintendents; or, if there really were work to be done, Captain Superintendents, at about half the salary of the Admiral Superintendents, could do it equally well. An Admiral Superintendent cost £1,883 per annum as well as allowances; a steam launch with its crew was provided for this official, who thus became very expensive to the nation. The only excuse he could imagine for having the two officials at Devonport arose during the time when the Duke of Edinburgh held the command there. At that time there were great complaints locally that His Royal Highness was not doing his

duty, and no doubt in such a case it was desirable to supply an Admiral Superintendent to do the work for him. But he ventured to say that in the case of all three dockyards the work now performed by the Admiral Superintendents could just as well be done by Captain Superintendents at salaries of £1,125 per annum and residences. A close examination of the Estimates showed that a great deal of money was wasted in this branch of the Service, and it was time that useless expenditure was knocked off. He hoped the Government would do something to reduce it. He was of opinion that the Admiralty should take steps to find out what was wrong with the construction of the *Victoria*, for it was evident that her officers had no idea that she was going to "turn turtle" and go down so quickly. They had, in fact, no idea of the unseaworthiness of the vessel of which they had charge. The discussion last night was a Jingo Debate, for it really was a demand for more money. They were told by a gallant Admiral that the Treasury was to blame for refusing to grant more money; but he was very glad that the Chancellor of the Exchequer had the courage to say "No," and to put a stop to the reckless expenditure claimed by some Departments. They were, in his opinion, already spending money enough, and he would like the Government to turn their attention to arbitration rather than to the further expenditure of money on the Navy and Army. He was glad that the present Government were spending more on elementary education. On the whole, the Government were to be congratulated on studying the wants of the people instead of recklessly squandering money on the Navy. In his view, the heads of all the great spending Departments ought to be in that House, and not in the House of Lords, though he did not, under the present circumstances, intend to move an Amendment to that effect. There was another matter which he desired to mention, however. He had heard that a launch was being built from public money for the Duke of Connaught, the late Commander-in-Chief at Portsmouth. That item was not put fairly and squarely upon the Estimates by the late Government. It was dishonestly concealed. He wanted to know what had become of that launch? Was it a perquisite of the late

Civil Lord, or did the present Civil Lord expect to get it? He also wished to hear why horses and carriages were supplied to the Admiralty? Were they required, as he had once suggested, for the Horse Marines? Surely some explanation should be forthcoming in regard to these items. As one of the guardians of the Public Purse he claimed that he was entitled to put these questions, for it was his duty and the duty of the Committee to see that the money of the taxpayers was properly spent.

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. E. ROBERTSON, Dundee): I assure the hon. Gentleman I have no expectation of any reversion to the steam launch to which he has referred. In fact, I do not know anything about it, but I will make inquiries.

**MR. A. C. MORTON**: Was it built or not?

**MR. E. ROBERTSON**: I cannot say, but I will find out. With regard to the Admiral Superintendents, the hon. Gentleman is not, perhaps, aware of all the advantages which these officers confer upon the Service in the matter of economy, and also by the reason of their experience. So far as I know, the Admiral Superintendents are most excellent officers, and any inquiry might be made without impeaching their conduct. As to the third question raised by the hon. Member for Peterborough, I have to say that the statement of the County Court Judge at Sheerness with reference to the money-lending which appears to prevail at that dockyard has not been brought officially to the notice of the Admiralty; but we will take care that the facts alleged are inquired into, and, if the system exists, will do our best to find a remedy.

**MR. A. C. MORTON**: But was it not the duty of the Admiralty to inquire into such statements by the County Court Judge without waiting for the matter to be brought formally to its notice?

**MR. E. ROBERTSON**: I cannot accept the view that we ought to act upon the *obiter dicta* of a County Court Judge, or even of a Judge of the High Court. If we did our hands would soon be full. I repeat we will do our best to find a remedy for any evil we discover to exist. I think it would be convenient if

I were now to make my statement upon the revised scheme of wages.

**COMMANDER BETHELL** (York, E.R., Holderness): The Debate last night was concentrated on the question of shipbuilding. I desire to speak on that subject also. Would it not be more convenient for me to do so before the hon. Gentleman makes his statement?

**SIR J. GORST** (Cambridge University): I think it would be convenient for the Committee to dispose of the first item before this statement is made. I understand a great many hon. Members wish to discuss the second item.

**THE CHAIRMAN**: The Civil Lord of the Admiralty is perfectly in Order. The Amendment moved yesterday dropped last night by reason of the interruption of Debate.

**MR. FORWOOD** (Lancashire, Ormskirk): But, the next sub-head being for wages, can shipbuilding matters be discussed on that?

**COMMANDER BETHELL**: Shall I be able to make my speech after the Civil Lord has dealt with the wages question? Can I re-open the discussion on shipbuilding matters?

**THE CHAIRMAN**: Certainly.

**MR. GIBSON BOWLES** (Lynn Regis): I have to move a reduction on Sub-head A, and I understand the hon. Gentleman proposes to speak on Sub-head B.

**THE CHAIRMAN**: The Civil Lord is in possession of the House. No fresh Amendment has been moved since last night.

**MR. GIBSON BOWLES**: My Amendment has been on the Paper for weeks.

**THE CHAIRMAN**: The hon. Member did not rise to move it. Of course, the Civil Lord can give way if he chooses.

**MR. E. ROBERTSON**: I am sorry I cannot give way, as I think many Members of the House desire that I should make my statement now. I think I ought to remind the Committee of one or two preliminary facts. On March 6 last the Government accepted the pro-

position that in dealing with these questions regard should be had to the fact that the Government, while not attempting risky experiments, are nevertheless bound to be in the first line of employers; and, in the second place, they realised that they were dealing not with their own money, but with the people's money, which was largely subscribed by working men. But, while the action of the House thus gave the line to the Admiralty on certain topics, that was by no means the beginning of the matter. Long before that time the Admiralty had instituted and completed a most exhaustive inquiry into all the grievances of the dockyards. My right hon. Friend the Financial Secretary to the Admiralty visited with me every one of the dockyards, received more than 300 Petitions, and heard more than that number of deputations from the men. We listened to the statements which were made with the greatest interest and the deepest sympathy, and both of us parted from the men with, if possible, increased respect and sympathy for them. The evidence so obtained has been printed, tabulated, and analysed, and submitted to a strong Departmental Committee, which included Mr. Bowles, one of the officers of the Admiralty, whose knowledge on this question is probably greater than that of any man living; and Mr. Burnett, the Labour Correspondent of the Board of Trade, whose special acquaintance with labour questions is equally eminent. On the Report of this Committee the Admiralty formulated a scheme, a copy of which has been laid before the House. Two years ago the late Government carried through a scheme of wages revision, the principal author of which was the late Secretary to the Admiralty. I do not intend now to say anything of that scheme, except that the result was an addition of something like £90,000 a year to the wages of the dockyard labourers. The number of men who will be affected by this change, so far as the Admiralty is concerned, is something like 20,000. That is a large army of labour, no doubt, but I would like to point out to my hon. Friend the Member for Peterborough (Mr. A. C. Morton) that he and others individually represent a number of working men not much short of that total. I am not going to go through the whole scheme, which Members will find for

themselves in the Papers which have been issued, but I must remark on two great questions which overshadow all the others. The first is the question of the wages of skilled workmen. There are 4,022 of these men in the employment of the Admiralty, and, with the exception of 147, they are all hired men. The wages of this class of men may be taken at from 17s. to 18s. a week; but I am bound to tell the Committee that, besides these wages, there are incidental advantages which ought not to be lost sight of. I am not going to attempt to put a money value upon these dockyard privileges, because that would only lead to controversy, but I will tell the House what they are. On the whole, the men work shorter hours than men of the same class outside; they have holidays on full pay which men outside have not; they have deferred pay and medical attendance when injured, which workmen of the same class outside do not have; and such of them as choose to stay long enough have a gratuity of £1 a year for each year's service. Another privilege which working men will esteem more highly than the others consists in the fact that their service is practically continuous, and they are not displaced by bad weather or other accidents. I am sure all those who know the feeling of the working classes in this country will agree with me when I say that working men attach importance not so much to low wages as to the uncertainty of having any wages at all at certain seasons of the year. I am bound to say that there is no lack of men suitable for the work required applying for these posts on the present terms. It is, therefore, not because we have to enter into competition with other people that we are induced to formulate these new proposals. We have, however, taking into consideration the principle laid down for us by the Secretary of State for War (Mr. Campbell-Bannerman), and more fully carried out by the Committee to which I have referred, come to the conclusion that to maintain the present wages would not be in conformity with that principle. We therefore propose that, instead of the present rates, whilst all other privileges shall be retained, the new main rate for unskilled labour in the dockyard shall be 19s. I call it the main rate, because it will be

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subject to certain variations. There will be a probationary rate of 17s. for new men, who will, after a certain period of service, step into the standard rate. We had in contemplation the possibility of establishing a special rate for particular localities, having regard to the circumstances, and especially the cost of living, in those localities. My right hon. Friend and myself were most careful in each case to examine into the cost of living, and more particularly into the rent, and nothing could be more pathetic than some of the details we heard from the men, especially at Woolwich and Deptford. We do not see that the circumstances vary enough to entitle us to charge a main or standard rate except in one or two cases. Two of these cases are those of Woolwich and Deptford, where we were satisfied that the circumstances were such as to justify us in giving an additional rate. It ought to be known that the additional cost of house rent charged in these places was a most important element in the consideration of the question. Some of the witnesses told us—and I was shocked and grieved to hear it—that increments previously given to men of their class had immediately been absorbed by landlords in the shape of rent. The Committee will naturally ask whether the rate we have adopted is a fair rate. As I have said, it will be 19s. in general, and it will be £1 a week at Woolwich and Deptford in view of the special circumstances of those localities. It is calculated that the mean rate for outside labour of this sort is 19s. 7d., and I think the rate we have adopted compares well with that, considering the advantages which the dockyard *employés* possess. The evidence we obtained from the Board of Trade through Mr. Burnett shows that the rate we propose to establish is quite as good and fair a rate as that which prevails in other parts of the country, and particularly in dockyard towns. The total changes we propose under this head will cost £13,700; and we propose, in view of the special condition of the class affected, that the new rate shall begin practically at once—that is to say, on the 1st of October next. I hope and believe that the Committee will agree with us in the standard we have arrived at. I am sure that, on the part of the Government and the House, I

may say that this money is given most gladly and ungrudgingly, and with the sincere desire that it may find its way to the quarter for which it is intended—that is to say, to the families of the working men concerned—and that it will not be diverted as an unearned increment into the pockets of anybody. I come now to the second great question with which we have had to deal, and it is a much more difficult Executive question than the last. I allude to the burning—and I may say blazing—question of classification. I do not know whether hon. Members know what classification means. It means that members of a trade are sub-divided into classes who receive different rates of wages, the selection and classification being made by the dockyard officials on the grounds of ability, economy, and service. That system has prevailed in many important trades in the dockyards with general acceptance. I suppose it was for that reason that the right hon. Gentleman opposite (Mr. Forwood), in 1891, fell in love with the principle of classification. At all events, he introduced it or gradually extended it in trades in which it was previously practically unknown. That was the *fons et origo malorum*. The right hon. Gentleman could not, however, when he introduced it, have anticipated the effect it would produce. The outcry against the system was instantaneous, and it has been continuous. I will not deal in detail with the various trades that were affected for the first time by classification; but I will take one trade which may be regarded as typical of all—namely, the great trade of the shipwrights, who number at present something like 4,000 men. These men are nearly equally divided between the establishment and the hired class. A man on the hired list of the shipwrights may be subject to five rates, varying from 30s. to 34s., or, in other words, a given group of five shipwrights, doing the same work, may one of them be paid 30s., another 31s., another 32s., another 33s., and the fifth 34s. The shipwrights may be said to be unanimous, and vehement in their unanimity, in condemning this system. Many of those who came before us did not hesitate to declare that it was more a matter of principle than of wages with them, and one bold man who was at the top of the list himself went so

far as to say that he and others would gladly have their wages reduced if a mean rate were established which everybody would agree to. Their objections to the system are that the same men, employed on precisely the same work and producing the same results, get different rates of wages. They say it may be that a better man, producing better results, gets the lowest rate of wages, whilst an inferior man, producing inferior results, obtains the higher rate. Then, again, they advert to the impossibility of accommodating the work to the system. In point of fact, they declare that the system amounts to a personal rating, or a classification of the men and not of the work. Another point which everybody who knows working men will at once see the importance of is that they say the system opens the door to favouritism on the part of the Superintendents. Of course, the mere possibility of such a thing is most objectionable. They say there is no system of the kind in the trade amongst private firms. I am bound to say that I do not think their statements are unfounded, and, in my opinion, there is substantial justification for the line they have taken. Over and above everything else, we have to face the fact that in this great and important trade, which has been described as the backbone of the dockyard system, you have the men prejudiced against the system of payment and utterly discontented with it, the broad result being that if you are going to have peace in the dockyards you must do away with the classification. However perfect may be the theoretical result of the system, there is no good in forcing even a perfect theoretical system down the throats of the men. We have, therefore, decided to put an end to the system of classification. Now I come to the question of the uniform rate which is to take the place of these varying rates, and I will tell the Committee how we proceeded. The hired men are the men who are most on a level with outside workers, and we first fixed the rate for them, and then deducted from that rate a sum of 1s. 6d. a week for established men, 1s. 6d. being the admitted and acknowledged value to the men of the advantages of the Establishment. We thought it would not be wise to disturb those figures.

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MR. FORWOOD (Lancashire, Ormskirk) : Half the cost ?

MR. E. ROBERTSON : Half the cost the right hon. Gentleman says.

MR. BARROW (Southwark, Bermondsey) : Is that irrespective of age ?

MR. E. ROBERTSON : It is irrespective of age. The moment a man goes on the Establishment he will get, not his previous wage of 33s., but that amount minus 1s. 6d. We believe that the proper mean for standard rate for hired men amongst the shipwrights is 33s. a week. Here, again, the Committee will have to consider whether this is a fair standard rate for hired shipwrights. I would again remind the Committee that they must not lose sight of the advantages of dockyard employment, which are probably more applicable to the case of men of this class than to the case of unskilled labour. I think the rate we propose is fair, judged by various standards. The mean of the present rates has been determined by calculation to be 32s. 3d. a week, and I would beg attention to the fact that the objection to the present system is based not on the ground of complaint as to the amount of wages, but on objections to the principle of classification. The rate we propose is a generous rate compared with those which, according to our information, prevail in the districts where the dockyards are situated. You may say that shipwrighting is a special business which you cannot expect to find flourishing in ordinary conditions in dockyard towns. I am willing to take that into account ; but still it is the fact that men of that class in the dockyard towns are not receiving anything like as much wages as we propose to give them. You must take into account the shorter hours, and then we are advised by those who have made the calculation that the corresponding rates in dockyard districts will be from 25s. 11d. to 29s. 9d.

MR. KEARLEY (Devonport) : Is the hon. Gentleman referring to shipwrights employed locally outside the yards ?

MR. E. ROBERTSON : Yes.

MR. KEARLEY : There are none.

MR. E. ROBERTSON : We are informed there are.

MR. WOLFF (Belfast, E.): How much shorter are the hours in the dockyards than in outside yards?

MR. E. ROBERTSON: In the dockyards they are 51, and outside they are 54. As to the prices paid in Chatham and Devonport, shipwrights receive there from 31s. to 32s.

MR. KEARLEY: What class of work are these men doing? Are they building first-class battleships?

MR. E. ROBERTSON: We are advised that the same class of men—shipwrights—throughout the United Kingdom receive an average of 34s. 1d. for 51 hours of work a week, which is the time worked in the dockyards. I make a present of that statement to the hon. Member for Devonport. In some cases there are rates considerably above the dockyard rate, as, for instance, in London. On the Tyne the average is 35s., on the Clyde the average of the last statistics is 36s. a week. I think, even taking these figures into account, and considering the advantages of dockyard employment, the rate we propose is a fair rate, and one which carries out the intention of Parliament and of the Government in accepting the Motion. Having got the hired rate, the established rate follows automatically, as it will be 33s. less 1s. 6d.—that is to say, 31s. 6d. Then we propose what has been called, to us, a not very happy phrase, a probationary rate of 31s. for one year. As to the men now on the Establishment, we propose to give them, not a minimum of 31s. 6d., but a special minimum of 32s. The established men are 200 strong, and we think it would be fair to give them 32s.?

MR. FORWOOD: Whatever are their present wages in future they would get 32s.?

MR. E. ROBERTSON: Yes. The main rate is to be not 31s. 6d., but 32s. for a man now on the Establishment.

MR. FORWOOD: Uniformly?

MR. E. ROBERTSON: I am just coming to that. Both in the cases of hired men, and in those of established men, all who receive wages under the standard will

be raised to the standard, whilst anybody having higher wages than the new standard will be lowered. Another point of detail in connection with the scheme is that we propose special rates of pay for special and defined work, as is indicated in the Return I have before me. I shall take care to have these special rates strictly defined in the Schedule, so that the men will know what they are doing. All that I have said, except about special rates of pay, applies to all the trades in which classification is to be abolished. The Committee will find them enumerated in the Return. As to the cost of those alterations, the abolition of classification will cost £7,400 a year, which will go into the pockets of the men. The special rate for shipwrights will cost £3,300 a year, and we propose that these changes should take effect from the beginning of the next financial year. Just one observation further I want to make, and that is with reference to an argument which was submitted last night by the noble Lord the late First Lord of the Admiralty (Lord G. Hamilton), and afterwards by the late Financial Secretary to the Admiralty (Mr. Forwood). They argued that our shipbuilding programme is so arranged that next year there must probably be great discharges from the dockyards. I do not follow them into the calculations on which they base that statement; but I must say I thought at the time, and think still, that it was a statement which had an oblique application. It was not a direct challenge to our shipbuilding programme, but an indication to the dockyard towns that we were embarking in a shipbuilding policy that might end in the men being discharged next year. I will tell the Committee that this shipbuilding programme has been arranged with special regard to the maintenance of continuous employment in the dockyards, and with a special regard to the avoidance of the discharges which the two gentlemen who were lately responsible for the Admiralty, on their own responsibility in this House, indicated must follow. There is not the smallest intention of doing anything of the kind. There have been distinct instructions given to the officers responsible that everything of that kind must be avoided, and the shipbuilding programme has been arranged with a view

to carrying out that purpose by the very officials who aided and assisted the two right hon. Gentlemen; and if they have any confidence in these officials they are bound to accept the assurance I give to the House, that the dangers anticipated and even threatened by them are purely illusory, and that the dockyards will be maintained in full employment without any of those discharges with which they threatened the House, and more particularly, I expect, the Dockyard Members. I have now finished my statement, and I have to thank the Committee for the attention with which they have listened to me.

\***Mr. KEARLEY (Devonport):** In congratulating the hon. Gentleman the Civil Lord of the Admiralty on the grasp he has shown of the complex subject with which he has only become so recently associated, I desire at the same time to congratulate him upon the skill he has exhibited in avoiding the most germane points in the Motion brought forward by the right hon. Gentleman the Member for the University of Cambridge (Sir J. Gorst) in March last, upon which this Debate must hinge, and which embraced two principles. One was—

"That no person working in any of the Government Departments which employ labour should be engaged at wages insufficient for a proper maintenance;"

and the other—

"That the Government, as an employer, should so regulate the conditions of its employment as to make itself a model employer of labour."

Some of us who took part in that Debate regretted that there was a lack of definiteness in the Motion; but before the Debate closed, it was clearly forced upon the Government what the effect of the Motion would be. The Secretary of State for War, in accepting the Motion, said—

"That with regard to the question of setting an example, we mean that the Government should show themselves to be amongst the best employers of the country, and that they should be in the first flight of employers."

And later on in his speech the right hon. Gentleman said—

"I accept in the fullest sense the principle that the terms of Government employment should be beyond reproach."

On that occasion the Secretary of State for War gave a definition of what he

termed a proper maintenance, and said very correctly that it depended on the circumstances of the individual to be maintained and the locality in which he resided. I agree with this generalisation, but prefer to put it to the House a little more definitely. What is a proper maintenance? I contend that there cannot be a proper maintenance unless the wage is sufficient to enable a man to house in a sanitary manner—to find in a sufficiency of food and clothing himself, his wife, and family. I do not raise the question of comforts or provision for a rainy day, but simply urge that the Government will not have satisfied the conditions of a proper maintenance unless it meets these vital points. Men should not be compelled to merely subsist, nor to herd in dens of wretchedness and squalor. According to the Government, they had abandoned that policy which is termed by some as that of "The Devil take the hindmost." The Secretary of State for War said that the Government were alive to the spirit of the times. He said—

"We have ceased to believe in what is known as competition, or starvation wages. We have convinced ourselves that starvation wages mean starvation work."

The hon. Gentleman was also candid enough to say—

"It is not a question of generosity or even of humanity, but a question of efficiency, for we cannot get a full day's work unless we pay a full day's wage."

Well, the practical outcome of all this fine talk is that we are asked to accept as a solution of this proviso a standard wage of 19s. weekly. I wish to draw the attention of the Committee to the fact that this proposal is not such as it looks on paper. We are to have employees on probation for the first year at 17s. weekly, rising in the second year to 18s. Now, I urge that there must be something wrong somewhere in these conditions, for you contend that 19s. is the wherewithal necessary to provide a proper maintenance, so where is the justification to subject a man to 17s. and 18s. for the first and second years respectively? I declare it to be a case of the horse starving while the grass is growing; and I may say, on behalf of the men, that we shall not listen for one moment to this probationary proposal. Take the ordinary private employer of labour who engages a workman. He

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does not require to look at a man for a year or two years to find what he is worth, and keep him that time on starvation pay. If a man is worth anything at all he ought to be worth his full wages from the start. I am perfectly sure that your leading men or foremen ought to be able, at the end of a fortnight, to say whether a man is competent or not, and your proposition is simply ridiculous, not only as regards unskilled but skilled labour also; and I urge upon Government to at once abandon the suggestion of probation, which I unhesitatingly term as monstrous. As regards the present Established man, to whom it is proposed to give 18s. a week, I would like to point out to the Government that there are only 70 ordinary labourers on the Establishment, and would therefore suggest that, as it is not your intention to establish any more ordinary labourers, the cost of raising the wages of these Established men to the present rate of 18s. only amounts to £167 per year. So you could, for a similar sum, make a minimum of 19s. weekly everywhere. This would certainly be an improvement on your present proposals, which you can scarcely expect will allay the dissatisfaction, as being practically nothing better than the old arrangement, and it will still be a case of starvation wages. Seeing the small number of men whom you have on the list, the 1s. would make very little difference, and surely you could show your generosity and forego that amount. The Government say that the standard rates may be raised to meet the circumstances of particular localities. I have no doubt that the hon. Gentlemen who will follow me will speak for their own localities, and I desire to speak for mine. You have made an exception on behalf of Deptford and Woolwich, but you have overlooked the fact that Devonport stands in as much, if not more, need of those exceptions. I declare that Devonport is as much in need of relief on the score of rents as anywhere. Are you aware that Devonport is a landlord's town; that it is leased on a plan known as "life leases"; that all the houses are tenement ones? If you are not aware of that fact, I venture to bring it under your notice, and to submit that you ought to give Devonport the same preference which you have shown Wool-

wich and Deptford. I am perfectly convinced that it deserves your favour as well as those towns. I urge that as regards Devonport 19s. will not by any means satisfy the proviso contained in the Motion of the right hon. Gentleman the Member for Cambridge University. The minimum wage for unskilled labour should be sufficient to provide proper maintenance for the men, and not to force them to live in misery. I also raise another point—that the wage of 19s. weekly is not equal to the local minimum of the district. I have in my hand the agreement of the Masters' Builders' Association with the Three Towns Labour Union, which was entered into between these two Associations. The first clause is—"That the wages shall be at the rate of 5d. an hour." The week is composed of 54 hours, and, therefore, a man receives 22s. 6d. weekly. At this rate a man in the dockyard, working 50½ hours per week should receive 21s. The men claim a minimum of 20s. weekly, and yet that reasonable demand is not granted. I repeat again that in Devonport the rents are fabulous. One room costs 4s. a week, and two rooms cannot be obtained under 5s. I speak from experience, for I have visited the houses and seen for myself. Now I come to the second portion of the right hon. Gentleman's Motion, which reads—

"That the conditions of labour as regards hours, wages, insurance against accident, provision for old age, &c., shall be such as to afford an example to private employers throughout the country."

This bears on an important part of your proposals. I take wages first. The only possible way to satisfy this proviso would be to pay the equivalent rate of the Trades Union scale of wages throughout the country. That is the only way you can redeem your pledges. Are you going to do so? The Government must be alive to this fact. Where the employment is not common to the locality, we ask you to pay the full Union rates, making a reduction for those privileges which accrue to those who enjoy the benefit of the Establishment. Those privileges are fully appreciated at their correct value. I shall refer to them later on. With regard to the skilled labourers, these men, in my opinion, are misnamed altogether. They

carry out very important work, such as rivetting, drilling, painting, iron casting, and have the care of drilling, screwing, and shaping machines. In private ship-building yards these men are classified as "minor trades," and receive a minimum rate of 25s. weekly. But you pay 75 per cent. of your men who are similarly engaged from 20s. to 22s. a week. I consider that their claims should be far more favourably considered, and that they should not receive less than 6d. per hour, which would give them a minimum rate of 25s. weekly. If outside firms recognise their worth, why should not this be done in the dock-yards? Now I come to the question of classification. You have said in your proposal that you have decided to abolish it and give a uniform rate of wages, and I was prepared, before I studied the details of your scheme, to congratulate you on having accepted the contentions of practical men rather than the speculative theories of those officials and right hon. Gentlemen who desire to maintain a burden which does not touch them. From the examination of the right hon. Gentleman's proposals I do not think he can have investigated the scheme which he wishes that the Committee should adopt. If he will allow me I will investigate it for him. The Established shipwrights' pay ranges from 31s. to 33s. weekly. It is now proposed to have a standard wage of 32s., and yet you say—

"The existing rate of wages will not be disturbed in the case of men who are now receiving more than the proposed rates."

This means continuance of the rate of 33s. weekly to those who now receive it. The standard rate for those below this figure is to be 32s. This only applies to men already on the Establishment. Newly-Established men are to be entered at 31s. 6d. weekly. It is stated in the scheme that classification will be abolished, but I will prove that nothing of the sort will take place, but that there will continue to be many rates. ["Hear, hear!"] [Mr. E. ROBERTSON: Only temporarily.] There are 1,100 men receiving 33s. weekly, and their average age is 40 years. These men will not be retiring to pensions, under the Superannuation Act, until they are 60 years old. Do you call this a temporary arrangement? I am sure that the right hon. Gentleman can-

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not have considered this question. There are three rates existing at the present time; but if his scheme is adopted, there will be three new rates added, which will make six rates in all. You propose to give 3s. a week extra for special work, but now with regard to these six rates: New men will receive 31s. 6d. weekly, those already on will receive 32s. and 33s. on the higher standard. 31s. 6d. engaged on special work will make 34s. 6d.; 32s. will make 35s.; and 33s. will make 36s. On this ground alone I contend that your statement that you have abolished classification is a mistake, and is not a fact. I tell you plainly, if you think by these means to still the agitation against the classification scheme, you are reckoning fallaciously. The men have been held in check by the belief that you were going to solve this question thoroughly and satisfactorily, and I shall be glad if the hon. Gentleman will throw some light on these criticisms, and if he can prove in the face of them that his proposals abolish classification I shall be indeed surprised. What the men demand is one uniform rate of pay, with no probationary period. Why should there be a probationary rate for shipwrights? I consider that such a proposal is unfair to the trade. Is it not enough that the men have on entry to produce their indentures, go through a practical examination testing their skill, and have to pass the doctor? Yet you ask these men to subject themselves to a probationary term in addition. Doubtless the author of this scheme will have something to say on the subject; so that I desire to put forward my objections, and give him an opportunity of confuting them if he can. The right hon. Gentleman the late Secretary to the Admiralty has always claimed that his scheme was framed to recognise and reward merit, but it has altogether failed to do so in practical working. This scheme has been applied to men who are working at trades in which the work is common to all, and who have been exasperated through receiving different rates of pay. Now I will give an instance: In laying the deck of a battleship every man is bound to do his equal share, and yet under the system in vogue they receive payment varying from 1s. to 4s. a week. This system has never been applied to men working in private yards, and the

*employés* object to its being introduced into the dockyards. The Government has no justification for endeavouring to force down the throats of men a thing which they do not care for. The right hon. Gentleman the late Financial Secretary is a fanatical lover of the scheme. He was the author of it, and I do not suppose that he will easily renounce his child without offering some justification in support of its existence. But the facts are all against him. Take the shipwrights at Devonport. They number 850 men, but all save 28 of that number have signed a Petition protesting against the continuance of such a system. There are 4,100 shipwrights employed at the various dockyards throughout the country, and of that number 3,650 have signed Petitions in a similar strain. I should have thought that the practical protest against classification at the last General Election would have convinced him, and even at the eleventh hour, when we are assisting at the obsequies, I do sincerely hope that before this Debate closes we shall be able to open the eyes of the right hon. Gentleman to the weakness of the scheme. As a last hope of so doing, I am going to quote the opinions of two of his political friends. The first is that of the Conservative candidate for Devonport at the last General Election. Seeing the time at which this opinion was expressed, no one can urge that it was actuated by any hostility towards the right hon. Gentleman. Writing to *The United Services Gazette*, on the question of classification, this gentleman said—

“Although the rise in pay conceded has been welcomed, yet the whole system of classification which has been introduced has led, and is leading, to universal discontent. Of the First Lord of the Admiralty it is impossible to speak in too high favour, as Lord George Hamilton is a most painstaking and persevering official; but it is against Mr. Forwood, the well-known Liverpool man of business, that the chief complaints of the workers are directed. Mr. Forwood has always been a reformer, and as Mayor of Liverpool some of his reforms were the very reverse of popular with the workers in the city; in the same way, although no doubt his untiring energy and restless mind have begotten schemes of reform and progression in what he believed to be the interests of the workers, they have one and all been disapproved by the mass of the men.”

I will now quote from a speech from a Member of Parliament who is a colleague of the right hon. Gentleman (Mr. For-

wood), and was a Member of the last Government. Speaking at a jubilation gathering, the hon. and learned Member for Plymouth (Sir E. Clarke), who I regret to see is not in his place this evening, as many of his constituents are deeply concerned in the matters we are discussing, said—

“I think I have good reason to believe that the majority, instead of being short of 200, would not be short of 600 or 700—(hear, hear!)—and I know perfectly well what was the cause of the reduction of that majority. It was the same cause which lost them Devonport and Pembroke Boroughs, and two seats at Portsmouth. I met many of my old friends who have worked for me in political matters, whose political friendship for me is not in any degree diminished, whose general sentiments are not in any degree changed, but who said they could not vote for me because in voting for me they would be voting for Mr. Forwood and Lord George Hamilton, and that reduced our majority greatly in the borough. I am sorry that they have lost the five seats alluded to at the Election, but I confess that we deserved to lose them. I am convinced that the course which was taken by the Representatives of the Admiralty in the late Government was a mistaken and an erroneous course, and that it was not a fact that their action was due to discontented and incompetent workmen, but was a sincere and reasonable expression of dissatisfaction on the part of those employed in the Government Service. (Hear, hear!) The Election has taken place, seats have been lost, but the question of organisation and arrangement is not yet settled, and whether I am supporting a Government who are in opposition I shall not lose an opportunity of pressing for the abolition of that system of classification among the shipwrights in dockyards, which is a mistaken system in its invention, is unfair in its conclusions, and which I believe will have to be removed before the difficulties in the dockyards can be got rid of. (Applause.)

Now, Sir, I do hope that this additional evidence which I have given will be sufficient to convince the right hon. Gentleman. I have carefully studied also the statements made by him before the Royal Commission. I can only find two arguments adduced by the right hon. Gentleman in favour of classification that are at all worthy of consideration. The first is that by his system of annual promotions all deserving men can attain higher ratings. The second that the demand for the abolition is not unanimous. I think I can, however, easily clear away these two points. With regard to annual promotions, the Government Returns show that to November last 191 men only, out of a total number of 4,193, received promotion,

and a simple rule of three will show it will take something like 21 years before the men can gain anything like the benefit to which they are entitled. The other argument, that the demand for the abolition of the scheme was not unanimous, was the chief one raised before the Royal Commission. It is perfectly true that there are certain trades which have always been classified, and which wish to continue so, but the vital distinction is this—In those trades which have been always classified the work is of so diversified a character and the skill which has to be displayed so varying that it is absolutely necessary to have rates of pay in accordance with the skill required. But these trades in which classification has always existed protest strongly against limited classification, which means that you allow no promotion to take place until a vacancy is caused by death or retirement. This the men the most competent to judge object to, and they say that it is but fair that a man should be allowed to progress according to his ability. Now I come deliberately to the wages of mechanics and artisans. I would remind the Committee that I submit that I am justified in discussing these on the basis of a Trades Union minimum. I shall show my justification for doing so by referring to a passage from the speech of the right hon. Gentleman (Sir J. Gorst) in March last, on which occasion the Government undoubtedly committed itself to pay the Trade Union wages. The right hon. Gentleman who, it will be remembered, initiated that Debate said—

“That the Government ought to pay their workmen the current rates paid in private establishments.”

The late Secretary to the Admiralty (Mr. Forwood) later on in the Debate said, in referring to this declaration—

“The Secretary of State for War complained that the Amendment of my right hon. Friend (Sir J. Gorst) was not specific. Well, Sir, I think that the Amendment is open to that criticism, but I think that the speech of my right hon. Friend was open to no such criticism. My right hon. Friend was very clear. He said that the rate of wages in the dockyards should be Trades Union wages, the hours of work Trades Union hours. And then he added to these Trades Union wages and hours that the Government ought to provide some machinery for insurance and old age pensions. Now, I think my right hon. Friend was very specific and fair in what he wanted and what he meant by this Resolution.”

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I think I am justified in pointing out this fact—that it was only owing to the right hon. Gentleman's superior experience of Parliamentary procedure that he secured priority on going into Committee of Supply for his somewhat indefinite Motion, for on the very first night of the assembly of this Parliament those of us representing dockyard constituencies and other Labour Members met together and decided to force this question of the Government paying Trades Union rate of wages to its *employés* before the House; but with our innocence of the Rules of Procedure we were groping about the recesses of the ballot box, taking our chances of securing a favourable position for our intended Motion. But, nevertheless, I believe the right hon. Gentleman to have intended by his Motion that the Trade Union rate of wages shall be paid. I take fitters first. The Amalgamated Society of Engineers—the Trade Union to which the best men belong—distinctly lays down in its rules that no member of the Association shall enter dockyard employment at a lower rate than 34s. a week. That is the minimum wage. I think it will be generally understood that all the best fitters are members of this Trade Union. By way of leading up to my point, I had occasion to call attention some few weeks ago to the considerable amount of overtime which has been worked in the Keyham Factory, and I suppose that the Admiralty have endeavoured to diminish that overtime. I do not admit, though, that it has been reduced, but that it has been continuing in a most flagrant form. I mention this here because they have been entering men lately; and although they are aware that the minimum wage fixed by the Amalgamated Society of Engineers is 34s. a week, they have been scouring the “sweating shops” of Devon and Cornwall to enter men at 30s. and 32s. a week. My point is in this question. Are you or are you not prepared to accept the minimum for this trade fixed by the Amalgamated Society of Engineers? And now for shipwrights. We have been told to-night by the right hon. Gentleman that he justifies the new standard rate by the standard of local employment. Who are these men by whom the standard of local employment is judged? Are there any shipbuilding yards in these localities of any



magnitude? There is not such a thing existing as a local ship-building firm worth considering. If you really wish to get to the bottom of the whole matter inquire at the great yards where battleships are built what is the pay for performing similar work. The chief places where there are shipbuilding yards, and where battleships are built, may be said to be seven. They are the Tyne, Clyde, Mersey, Hull, Thames, Belfast, and Barrow. At all events, that is a very representative assortment. What do you find is the average weekly pay at these places? I have it on the authority of Mr. Wilkie, the Secretary of the Associated Shipwrights, that the average for the past 10 years has been 37s. 6d., and yet you come here and ask us to accept for those skilled men wages at the rate of 32s. a week. You have the—yes, I will say it—audacity to ask us to justify you in setting up the standard of a few “wasters” existing in dockyard towns. I never heard such a monstrous thing. If you really ask us to accept such a standard, all I have to say is that you must think us very simple individuals. I absolutely decline to take the *ipse dixit* of any occupant of the Front Bench as to what is a fair rate of wages, unless you can prove that it is as you say—a fair approximation to the amount paid by private firms throughout the country. If you fixed on that standard you would then arrive at a minimum of 36s. a week. They are fairly entitled to that amount; but to satisfy the existing discontent they will accept a settlement of 34s. a week, with no probationary period. As regards the 3s. a week for extra work, the men do not want it, for it will only cause jealousy and favouritism. All they ask for is a uniform wage, assessed by the Trades Union standard. There are the joiners. You proposed to give hired men 30s. 6d. a week, and you state again that you have arrived at your conclusions by the local rates of pay. I think that you will admit that the local building trade of the Three Towns pay their men 7½d. an hour, and as they work 54 hours a week their weekly earnings are 34s. How can you say, I wish to know, that by giving these men 30s. 6d. a week you are placing them on the same rate as outside firms?

You cannot make black white. This trade has always been most unfairly treated by you. It claims justly to be on an equal footing with the highest branches. The Chief Constructors are in sympathy with the demands of the trade for a higher footing. I do hope that when this proposed scheme is considered again, as it will have to be, due consideration will be given to their application that they shall be advanced to a first-class trade, and take the same position as the workers do in outside yards and receive a relative pay. I cannot go into a lengthy examination of all the rates, but I must point out that although the Secretary of State for War undertook that the dockyard service should be without reproach, very many reforms will be necessary before that satisfactory condition of affairs is reached. Answer me these questions: Do you intend to abolish that sweating system of job and task work under which the scale of pay is arbitrarily fixed, and the men are kept in the dark with respect to it? You expect the men, in fact, to exert a supreme effort, as men do when on piecework, and to thankfully accept at the end of the week whatever you like to give them. Let me remind you that you frequently fix the rate so low that, although the men may have been working extremely hard, they frequently do not obtain sufficient money to cover their weekly wages. Then, again, if your money is getting short, you get frightened, and think that it is flowing away too quickly. What is the result? Why, you put the men on what is known as check measurement. By this system the man's work is also measured by the officials on some unknown scale. If less than what you consider by your “Star-Chamber” scale to be a proper amount, he is checked; but if over, as must necessarily occur, he receives no extra pay. He is expected to work at piece-work speed. You claim to be “model employers.” Before you can justify such a title you must abolish such systems as these altogether. There is one more matter to which I should like to draw attention. At Bull Point, when the Ordnance Store Department was transferred to the Naval Ordnance, it was understood that the men should retain their original privileges, and yet when the men received a rise in

April last it was made a condition that all their privileges were to be confiscated. I took steps at once to question my hon. Friend the Civil Lord in this House on the matter, and he stated deliberately that this was in exact accord with the agreement into which the men entered at the time of their transference to the Admiralty. I have, however, produced for his edification a copy of the original agreement which they signed, and I ask him now whether he is prepared to maintain the attitude he assumed on the occasion I referred to?

MR. E. ROBERTSON: If the hon. Gentleman will permit me, I will clear this matter up at once. The information on which I acted, and which I am sure was tendered by the officials in good faith, on re-examination proved to be incorrect; and, as I have already informed the hon. Gentleman privately, the privileges will not be interfered with.

MR. KEARLEY: I now wish to draw attention to those privileges which it is urged the men receive through being in the Government service. The men pay at least 5 per cent. of their wages towards their pensions. A labourer at 18s. a week loses the 1s. a week for Establishment, and you must remember that only 25 per cent. of the total employment get pensions. The sum checked from wages really pays for one-half of a man's pension, which, on the word of the right hon. Gentleman opposite (Mr. Forwood), costs the Government less than 10 per cent. Now, in Germany, the State pensions are managed very differently. In that country the workmen contribute one-third, the employer contributes one-third, and the State contributes a third; and as the State and the employer in dockyards is one and the same person, I contend that the Government should bear two-thirds of the cost. Now, about the four days' holiday these men get. Two of the days are ordained by the State Church—which, unfortunately, continues to exist—to be Sundays, or, at any rate, their equivalent. I mean, of course, Christmas Day and Good Friday. These holidays are not really worth 6d. a week. Much has been said about the continuity of employment, and how that if the men are injured during work they have free medical attendance and half-pay, and if permanently disabled they get compensation. Now, Sir, I do

not know if this is so very generous. I should be ashamed to think that I did not pay a man in my employ full wages during his illness. I do not believe that men like Armstrong are any less liberal in their terms. There is another question with regard to the hours worked. At present they are about 50 hours a week, and the men are anxious that they should be reduced to 48. If these demands were granted it would not cost the Government 1d. more. It would not be necessary to employ any more men, for the men would be able to work for the shorter period with more sustained energy, and the Government would have the credit of having brought into existence this satisfactory state of things. In conclusion, I must say that the Government have no possible excuse to refuse to carry out the undertakings which they have given. They cannot say that there is not time to introduce a Bill. They have not the excuse that their Parliamentary time is already mortgaged. They have simply to place the money on the Estimates and the House will readily vote it, and I do say that unless you do that you stand convicted out of your own mouths as men who come here and give your Parliamentary word and pledge, but when the occasion presents itself for their redemption you show the worthlessness of your professions.

MR. FORWOOD (Lancashire, Ormskirk) said, he desired to make a few observations in answer to the remarks which had been submitted in support of the proposed abolition of classification in Her Majesty's Dockyards, and in defence of the action of the late Government. Anyone who had heard the speeches of the Civil Lord and of the hon. Member who had just sat down would suppose that the late Government had done a grievous wrong and injury to the dockyard *employés*. But what were the facts? After a careful inquiry, they had made additions to the rates of pay to the men in the dockyards amounting to something like £72,000 a year. The proposal now made by the present Government was to further increase that addition to some few trades by the sum of £31,000. The benefits given by the late Government were conferred on every trade. The hon. Member who had just sat down had said that the late Government, in

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distributing the increase, adopted, in the case of certain trades, the principle of classification, which existed in nearly every trade in the dockyards. Now, at the outset, he (Mr. Forwood) wanted the Committee to realise the marked distinction there was between men employed in Government establishments and those who worked for private firms. Apart from the advantages pointed out by the Civil Lord, the former had regular employment and a practical assurance of continuous wages. Moreover, in the private yards, if men did not behave properly, they could be discharged without anyone to question the action of the employer. But that was not the case at the dockyards. A man must commit himself to a very considerable extent, and show a great want of diligence, before it was reported by the officer at the dockyard that he was inefficient and ought to be discharged. Under these circumstances, there ought to be in the hands of the officials of the dockyards a power to reward diligence and merit. Such a power was more important in Government yards than in private yards, where more drastic measures could be taken as regarded the cessation of the employment of any individual. The advantages of the Government service, striking as they were in connection with the hired men, were doubly so in connection with the men on the Establishment. When men were placed on the Establishment they were assured for the rest of their workable days, or until they were 60 or 65 years of age, of continuous employment and a pension unless they were guilty of gross misconduct. There was no inducement whatever to a man, if put on uniform pay, to strive to emulate his fellow working men and do better work. When he first had to do with them it was one of the grievances of the shipwrights that they got to 30s. a week, and there remained; but the present proposal was going to continue that system, merely increasing the amount to 31s. 6d. He felt that there was a strong case to be made out for placing those trades in the dockyards that were not classified before under the system which had prevailed for so many years in connection with other trades. He was going to call one or two witnesses in evidence of the principle adopted by the late Administration in connection

with this wages question. The first witness he would call was the hon. Member for Devonport himself. On the 9th May, 1891, the hon. Member made a speech (reported in *The Western Daily Mercury*) in which he used these words—

“Mr. Forwood, in addition to being the Secretary to the Admiralty, has large interests, I believe, in private yards in Liverpool.”

That statement he (Mr. Forwood) had denied most emphatically. He had no interest whatever in shipbuilding, and the statement had clearly been made to injure the Board of Admiralty of which he had been a Member. The hon. Member had gone on to say—

“Well, I would like to ask him whether he would dare to classify his private labour on a similar principle to the limited and unjust classification as employed in Her Majesty's Dockyards. What his reply might be I will not venture to say, but it has been well said that what is sauce for the goose is sauce for the gander also. What you are demanding and what you will, I hope, continue to insist upon, and what we, as your Representatives, if you return us as such will work for is that the advance in the wages of all dockyard *employés* in all branches should be a general and an all-round one, estimated and based on the wages which are generally recognised as being the accepted standard of the mechanics and labourers employed in private yards. There should be a general percentage rise all round, and not individualised. I am an employer of labour myself—a large employer—paying wages weekly to between 1,000 and 1,500 *employés*. What is the basis upon which my firm proceeds in appraising a man's worth for promotion? We first of all lay down the principle of ‘a fair field and no favour,’ and we wish it to be generally understood that a man's preferment and advancement will be dependent on that. In the first place, merit backed up, secondly, by length of service.”

MR. KEARLEY said, if the right hon. Gentleman would excuse him interposing, he would point out that the men in his own employment who were rewarded on the conditions referred to were not engaged in work common to all, but in work which varied according to the necessities of the business. The argument that the right hon. Gentleman was endeavouring to raise was altogether inapplicable. It, in fact, tended to disprove the right hon. Gentleman's contention and prove his (Mr. Kearley's).

MR. FORWOOD said, the colour the hon. Member now sought to give to his remarks was not to be found in the re-

marks themselves. He had put in the forefront the simple proposition that merit, backed up by length of service, was the principle on which men should be paid in the dockyards. Well, the late Board of Admiralty had given instructions for the foremen in the shops to recommend for promotion those men who deserved it through competency and diligence, regard also being had to length of service. It was stated, further, in the instructions that when the Admiral Superintendent recommended men for increase of pay over the heads of men who had been longer in the service he was to give the names of those whom he passed over, and the men passed over should be at liberty to state their case to the Admiralty. Every effort had been made to insure that the best men should be promoted, and that there should be no favouritism shown. The Civil Lord said he appointed a very strong Committee to consider the evidence which he had taken; but he limited the action of the Committee, and said their object must be to do away with classification. He (Mr. Forwood) did not wonder that, as the hon. Member had said, instructions were necessary. As the hon. Member had very properly said, they appointed a strong Committee. Admiral Fane—Admiral Superintendent at Portsmouth—was the Chairman, a Member of the Committee was Mr. Wildish, Civil Assistant or Constructor—he was not sure which—at Devonport; Mr. Barnaby, Chief Civil Superintendent at Chatham, was another. One would have thought that the opinions of gentlemen practically concerned in the work of the dockyards would have been asked on such a matter as the abolition of classification unfettered and without instruction, and he was surprised that they should have undertaken a duty which he thought must have been against their own convictions. These gentlemen certainly knew much better the circumstances connected with Her Majesty's Dockyards and the practical working of them than the Lords of the Admiralty. But the dockyard men had votes, which was a potent factor in all dealings with dockyard questions. These matters were not approached in the House in the fair way in which they should be approached. The hon. Member opposite (Mr. Kearley) was the avowed advocate of the interests

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of the dockyard men; therefore, his appeals for increased benefits for those men must be discounted. He had quoted the hon. Member. He would now proceed to give other evidence. Mr. Williamson, Director of Dockyards, before the Royal Commission on Labour, was thus examined by Mr. Dale—

“Q. Is it your experience that the wages in the dockyards range lower than those paid in other districts?”

“A. I think not. They now compare favourably with such places as the Clyde and Belfast, &c., the revised scheme of wages having been based upon a fair average wage of the private shipbuilding and engineering trades.”

Then he was asked—

“Q. As regards the classification of skilled and other labourers, have you formed any opinion or not?”

“A. Yes, I have. The so-called classification of skilled labour is as essential in that as in any other body of workmen, not only in the interests of the Service, but in the interests of the men themselves.”

Mr. Wildish was asked by him (Mr. Forwood)—

“Q. Would you make the higher rate uniform, or would you have it on a graduated scale to certain classes?”

“A. Most certainly a graduated scale; I should say the numbers in the higher scale being limited according to the requirements of the work mainly.”

Mr. Stanier, Civil Assistant at Portsmouth Dockyard, was asked—

“Q. You indicated that you preferred a graduated scale of pay to an uniform rate of pay?”

“A. Undoubtedly so; that has been my experience and opinion for many years, and I have had no reason to alter it.”

Mr. Barnaby was asked—

“Q. Do you approve of a uniform rate of pay, or would you prefer a classification?”

“A. I should much prefer a classification.”

“Q. How would you put men in the classes—would you put them according to merit, or upon what rule?”

“A. I have said in my Report.—‘This would enable specially expert workmen being rewarded, advancement to higher rates being generally considered due to ability and servitude.’”

“Q. Would you lay down as a rule a definite term for a man to remain in each class before he was eligible for promotion, or would you leave that an absolutely open question for the officers of the yard to determine?”

“A. I should leave it open. We should soon find out what a man was worth. I should not like them to be bound to any term. Sometimes, for instance, we know when we get a workman that he is an excellent man and worth



more than a man to whom we are paying 5s. a day."

That was the evidence given by persons who were responsible for the good administration and discipline of the dockyards—for the quick carrying out of the work, for the proper employment of the men. That evidence, coupled with what the men themselves represented, fully justified the principle adopted by the late Administration in paying each man according to his ability. And in their scheme of classification they took care that a man who did his work properly and diligently had not to wait for a vacancy caused by death for preferment. The instruction to the officers of the yard was that the list to be submitted from each dockyard of men deserving promotion was to be absolutely unlimited. The scheme of the late Government had been in operation. Under the classification scheme 426 men had been promoted up to the 27th of June, 1892, and if the hon. Member for Devonport complained that the number was not larger the fault lay with the present Government. To come more particularly to the proposal of the Civil Lord, as representing the present Board of Admiralty, he (Mr. Forwood) did not for a moment grudge any further advance that was given to the ordinary or unskilled labourer at the yards. Formerly the rate of pay to those men was only 15s. a week. The late Board thought that that was not a fair wage for any man to exist upon, and they increased it to 18s. a week after a probationary period, and the present Board, he understood, were going to increase the amount to 19s. a week. He thought, however, that it was a mistake to make a further special allowance of 1s. a week to the labourers employed at Woolwich and Deptford because of the higher house rents they had to pay. He did not think that they should differentiate between the men at Woolwich and the men at Devonport, for they were as worthy of consideration at one yard as at the other. If the Government gave one yard the 19s. a week they must extend that 19s. to every one of the other yards. They could not differentiate, and, at the same time, give a feeling of satisfaction to the men. This attempt to undo what was done on the best and strongest of evidence had been described by the hon. Member

for Devonport (Mr. Kearley) as in every sense unsatisfactory from the point of view of the men. He (Mr. Forwood) was not surprised at it. Whereas the joiners received from 28s. to 30s. those already on the Establishment were to receive under the scheme 29s. 6d., and men who came on the Establishment in the future were to receive only 29s. In other words, the joiners were to be docked of 1s. a week in order to abolish classification. He did not think the joiner class would be pleased with such a proposal. The other great class was that of the shipwrights. To-day the maximum pay of an Established shipwright was 33s., and in future his maximum pay was to be 31s. 6d., so that the shipwrights were in future to lose the chance of obtaining the extra 1s. 6d. a week. The hired shipwrights were to be docked 1s. There was an anomaly, because the hired shipwright, whose maximum pay in future was to be 33s. a week, would, when placed on the Establishment, obtain only 31s. 6d., so that he would forfeit 1s. 6d. a week in order to gain the benefits of the Establishment. Under the scheme approved by his noble Friend (Lord G. Hamilton), an experienced man—and only experienced men ought to be Established—only forfeited 1s. a week on becoming Established. The Government were, therefore, not only going to reduce the maximum pay, but were going to penalise those who went on Establishment in order that they might do what their predecessors had done. There was only one other word he wished to say on this matter; he wished to call attention to the numbers affected by this proposal, and perhaps the Civil Lord would tell him if he were right in the inference he drew. The idea was that 10,800 of the men should be paid on a uniform basis, and that the remainder of the men in other trades in the yards, numbering 8,000, should continue in the classification list. That was the effect as regarded numbers. The shipwrights undoubtedly, as he had said before, and now said again, were the backbone of the yard; and if the hon. Member for Devonport (Mr. Kearley) had been in his place he could have assured him that no remarks he had ever made were intended to or meant in any way to detract from the high opinion he had of their character as skilled workmen, or their conduct

in the discharge of their duties in the yard ; but the shipwrights were the class who made this demand on Her Majesty's Government, and they had made this demand on the Government because the leaders of the Trades Unions of the country had more influence with this trade than with any other trade in the yard. They heard to-day from the hon. Member for Devonport (Mr. Kearley) a demand that the Admiralty should no longer regulate the rates of pay in the Naval Establishments, but that they should be regulated by the Councils of the Trades Unions of the country. He did not know what answer the Civil Lord (Mr. E. Robertson) was going to make to that demand ; but that was the demand that was made, and it was a very plain and simple one, that the Trades Unions should fix the rates of wages in Her Majesty's dockyards. These rates would have to be fixed, from time to time, according to the fluctuations in the labour market of the country. He did not grudge any Board of Admiralty the task of having constantly to be adjusting the pay of the men according to the fluctuations of the labour market. The shipwrights had undoubtedly been a class very prominent in this agitation. But why should such bodies of men as the engine-fitters and ship-fitters be left out of consideration ? These men were not to receive a single sixpence of extra pay. His opinion was that the engineer and iron ship-fitter was a class of trade certainly not second in importance to that of the shipwrights ; but they and other important trades were left out of all consideration, and only attention was paid to the shipwrights, because, he supposed, they were a little more clamorous. He supposed, also, their votes were given under circumstances at the last Election—admitted by the hon. Member for Devonport (Mr. Kearley)—which required that the promises then made should be fulfilled. So much for the plan as regarded the classification and the labour question of the yards. The Civil Lord, in the concluding part of his remarks, dragged in another matter which seemed to him (Mr. Forwood) quite outside the matter they were discussing ; the Civil Lord brought in the question of the shipbuilding programme, and he challenged certain observations made by his noble Friend (Lord G. Hamilton)

*Mr. Forwood*

last night as to the effect of the distribution of labour and the commencement of new ships in the dockyards. As to the effect upon labour the Chairman ruled him out of Order last night, so that he was unable to proceed into that matter, and he was sorry again to have to attempt to go into it ; but on that point the Civil Lord used rather more vehement language than in other parts of his speech. The Civil Lord stated that he (Mr. Forwood) and his noble Friend (Lord G. Hamilton) had threatened the House with discharges, and that that was the intent and meaning of the observations they made. The intent and meaning of their observations were absolutely contrary to that. What they desired was to give the Admiralty the experience of six years' work at the Admiralty, and warn them that unless they took a certain line of policy those discharges would be inevitable. If they had wanted to obtain any advantage in the matter they would have held their peace and not given any word of warning, because then next year the Government must have inevitably discharged a number of men, and undoubtedly their political opponents would have got the benefit of such discharges. In a few words he must give the Civil Lord the figures, which he thought he would find it impossible to gainsay. The Civil Lord said—"I assure you that there will be no discharges next year." Very well ; he did not want any discharges in the dockyards next year ; but he could assure the Civil Lord that if he went on with the programme as at present laid down there must be discharges, or a very large increase in the Votes for material and contract labour. It was inevitable, and that was the reason they mentioned this matter. He would now give the Civil Lord the figures as to labour. The Estimate this year was £831,000. If the Civil Lord wished to keep the workmen in employment it would require £135,000 to complete the old programme. Then, if the hon. Member wished to make good progress with the ships in the new programme, he would have to expend on labour £366,000, making a total of £501,000 ; therefore, next year he must find employment, if he wished to keep the same number employed as were employed to-day, representing £330,000. What was the case with regard to materials ? By the Government figures it

involved £150,000 to complete the old programme; to proceed with new battle-ships would require £891,000, and for contract work the material for their new cruisers would come to £300,000. They would, in addition, require for unappropriated labour, £1,076,000; and the total of these figures summed up to £3,250,000 against £1,900,000, the Construction Vote this year. Therefore, to keep these number of men employed, unless the Admiralty made a complete and drastic change in their programme on new ships—and he was afraid it was too late for them to do that—they would have to increase their Construction Vote by £1,300,000.

MR. BAKER (Portsmouth) protested against Dockyard Members being described in the way in which the right hon. Gentleman referred to them.

MR. FORWOOD: I was simply quoting the remarks made by the hon. Member for Devonport (Mr. Kearley).

MR. BAKER said, the statements made by the hon. Member for Devonport (Mr. Kearley) were not acquiesced in by other Dockyard Members. But the hon. Member for Preston (Mr. Hanbury) last night anticipated the argument, and made very similar remarks; in fact, it was not at all an uncommon thing to hear such remarks made; and, as a Dockyard Member representing one of the largest of Her Majesty's Dockyards, he entirely resented such an imputation that Dockyard Members were unduly pressing the claims of their constituents. The duty of a Representative was to attend to the interests of his constituency; and in this particular dockyards were not different from any other constituency. What interest was there in the country that was not directly represented by those elected for the purpose? More than that, the great trade interests, the great Church interests, railway and other interests were all directly represented; but no imputation was passed on the Members that they were unduly pressing claims, or improperly putting forth arguments and statements for and on behalf of their constituents. He could convince the right hon. Gentleman that the constituency he represented was quite free from any such oscillation or taunt as suggested. In 1885, before the scheme came into operation, the constituency was represented by two Liberals. In

1886 a political wave passed over the country, and two Members of a different colour were sent to Parliament. But a recurring wave subsequently sent in Liberal Members, and that, he thought, disposed of the accusation that they were unduly pressing their claims. It seemed to be considered by Members, and especially by Members of the Government, that men employed in the dockyards were treated better than other workmen, both in regard to their wages and their position. That, he thought, was an impossible position for the Government to take up, and it must be remembered that the Government brought these men to the localities, and removed them from all the advantages which they might enjoy in other districts where employers were more numerous. He looked upon the rate of wages suggested in the new scheme of classification as an instalment towards a settlement which should be satisfactory to the workmen of all classes. He did not think that the Government had treated the men with that amount of generosity which they deserved, and next year there would have to be a further instalment paid on that account. The men ought to receive to the full what the same class of workmen received in any other part of the country. Shipwrights throughout the country received an average wage of 36s. 6d. per week: but the shipwrights employed in Government Dockyards would take 34s. and be satisfied, which would mean that the men would each give 2s. 6d. a week for the supposed advantages they now obtained under the Government. The Government seemed to have overlooked the solemn proposition made by the right hon. Gentleman opposite (Sir J. Gorst), that the Government would show to the employers of the country an example, and that they would at least start upon the scheme for improving the condition of the working men. If a contractor employed a labourer upon Government work he was obliged to pay 4½d. an hour; but the Government themselves did not give that to their labourers. What the Government proposed to do was to pay their workmen wages 5 and 10 per cent. less than the current rate of wages paid for the same labour in the market outside the dockyards. As to the question of probation it was out of date, and no other employers engaged their

hands in such a fashion. He hoped, therefore, there was still time for the Government to make a modification of their scheme in that respect, so that no man should receive less than the average wages paid in like employment throughout the country.

SIR J. GORST (Cambridge University): The hon. Member for Portsmouth (Mr. Baker) complains of the imputations liberally cast upon Dockyard Representatives when they intervene in Debates on the Naval Estimates. I have great sympathy with that complaint. I represented a dockyard constituency for 17 years, both when my friends were in Office and when my opponents were in Office, and I do not think I ever got up to make a speech in one of these Debates on this Vote without being sneered at by somebody or other because I was a Dockyard Representative. It is the common lot of the class, and so long as the hon. Member has the privilege of representing a great dockyard constituency I am afraid the sceptical and cynical spirits in the House will indulge in these sneers. I gave notice a short time ago that I would, on the occasion of this Vote, invite the Government to state what practical steps they have taken to give effect to the Resolution which was adopted by the House in March last; and I have to acknowledge my obligations to the Civil Lord of the Admiralty for having, in his Memorandum and in his speech this evening, so clearly and fully explained all that the Government has done. For what they have done I must tender them my most grateful thanks. The hon. Member for Devonport (Mr. Kearley) seemed to be afraid that I was not going to stand to my guns, and that I would recede from some of the sentiments expressed by me last March. I can assure the hon. Member and the Committee that there is no such danger. It is only the Members of the Government who are allowed to make the same speech twice over, otherwise I would repeat exactly what I said in March. But, as time is very precious, I do not want to go over the whole ground again, or to attempt anything like the elaborate criticism of the Government proposal which has already been made by the hon. Member for Devonport, in a great deal of which I concur; but I would like to look at the matter from the point of view

of the interests of labour generally throughout the country, which are very much involved in this question, and I would like also to point out in what respect the Government has, in my opinion, failed to give effect to the Resolution of the House. I say that the workers in the country generally are very much excited over this question. There was a time, not very long ago, when dockyard workmen were considered to be rather favoured individuals, and when the working classes throughout the country generally felt no very strong sympathy with them; but I think that time has gone by, and that workers generally perceive that they have a most vital interest in seeing that the relations between employer and *employé* in the dockyards are of a satisfactory character. The workers are really the employers in the dockyards. Their money is being spent; and they control the election of this Parliament, which has the Admiralty under its control, and consequently, if the treatment of the dockyard workmen is not perfectly just, it is the masses of the people of this country who are ultimately to blame. We should look upon the Government, whether they like it or not, as to a great extent a model employer of labour, for the views they enforce have a wide-reaching effect upon the action of private employers, and upon the conditions of workmen in every industry in the country. Therefore, the great mass of the electors of the country really feel a very great interest in this dockyard question. In the first place, I cannot accept as satisfactory the conclusion at which the Government have arrived as to what wages are sufficient for maintenance. I think it would be impossible for the House of Commons to lay down the rate of wages which employers should give so as not to be guilty of the offence of sweating, and I do not know whether the House is in a position to critically examine the figure of 19s. to which the Government have arrived as a minimum weekly wage. I should like to know whether the hon. Member for Battersea considers 19s. is in accordance with the Trade Union rate, and whether it is free from the imputation of a sweating wage? As a Member of the Labour Commission, I know what the wages of the men down the river are, and I should have thought that 19s. is rather a low figure; but I

*Mr. Baker*



have no *data* upon which to dispute the figure. But having come to the conclusion that 19s. is the wage they ought to pay to redeem themselves from the accusation of being sweating employers, I cannot understand by what process of argument the Government have been induced to adopt the system of probation. The probationer must commence in the yard at 17s. a week, which is raised in another year to 18s. I noticed that the Civil Lord of the Admiralty was a little ashamed of that part of the scheme. I hope that indicates that there is a certain amount of dissatisfaction amongst the men with the action of the Admiralty. I am sure it would have been wiser if the Government, having come to the conclusion that 19s. ought to be the minimum wage, were able to tell the country that, except in a very brief period of probation, there was no man in their dockyards who had less than 19s. a week wages. I will not dwell upon the question of classification at any length, for I consider that, although it is a very important matter, it is outside the scope of the Resolution passed by the House in March last. I may say, however, that when I represented a dockyard constituency I expressed a very strong opinion against classification, and now that I am not returned by such a constituency and can hold a perfectly independent opinion on the subject I see no reason to withdraw from that opinion. It seems to me that in introducing classification into their service the Admiralty are going a little beyond making themselves model employers, and are making themselves experimental employers. The mere fact that the system is unknown in private yards is a sufficient reason for the Government to abstain from making the experiment. It is quite clear that the system will not work, and that it is unpopular with the workers. I come to a point on which I am very much disappointed with the action of the Government, in face of the pledge given when the Resolution of March last was passed, and that is the question of hours. I should have thought that with a Government in Office which is generally favourable to an eight hours day, and which has voted in block for it in the mining industry, there would have been a chance of seeing the experiment of an eight hours day introduced into the dockyards.

I hoped and believed that after my Resolution the Government would have reduced the hours of labour in their dockyards to 48 hours a week, especially as the hours worked in the dockyards very slightly exceed eight hours per day, being only 51 hours per week. I, therefore, feel the strongest disappointment that the Government have not seen their way to make this slight and salutary change; and I hope that next Session more pressure will be put on the Government to induce them to make the change. But I regret most that no change whatever has been made in the direction of providing for the old age of workmen in Government establishments.

MR. E. ROBERTSON : The subject is not relevant to this Vote.

SIR J. GORST : But it is relevant to this Vote. The great complaint which I made in March last, and the complaint which has been made in every Dockyard Debate in this Committee for the last 20 years, is the extraordinary difference which every successive Government keeps up between the Established and non-Established men in their service. No one has ever been able to give a satisfactory reason for that distinction. In the dockyards there are men working side by side, some of whom can look forward to a pension and others of whom will have nothing but a gratuity on retirement. I would not say that every man should at once become entitled to a pension. There might be one or two years' probation established, to see whether the men are really fit for the service, and whether they are the class of men you want. But at present more than half the men employed, though they may have worked for 20 years in the dockyards and arsenals, have no provision for their old age. I have discussed this matter with the men, and I can say that they do not ask for anything unreasonable. They admit that the wages they receive should be lower than the wages given outside for the same work in consideration of the superannuation allowance; they have often asked that a reduction should be made from their wages and carried to a separate fund, and that an actuarial calculation should be furnished to them, in order to see how exactly it was with them and what they got for the reduction. To those demands, which I consider modest and reasonable, no Government

has yet acceded. During the Debates on the subject in March last, it was stated that the Government contributed half of the amount towards pensions. I showed that the Germans gave one-third, and that, therefore, we were less generous to our workmen than the Germans. But what I contend for is, that all the permanent servants of the Government should have a provision made for the time when they are no longer able to earn a living by work; that that provision should take the form of a deduction from the wages an outside worker would receive; that it should be clearly and specifically stated how much was deducted for that purpose; and to what extent it was supplemented by a contribution from the employer, which in this case is Parliament, and that there should be no mystery and confusion between the employer and the employed in the matter. The Government will probably adhere to the old clumsy method of Established and non-Established men. They will continue to give the superannuation in the most inconvenient form in which it can be given; and that in the case of the premature death of a man who had been subscribing to the fund for 40 years, not a single penny will be returned to his widow or children. I must say that in all these respects I have been much disappointed with the Government. I hope before the Debate closes we shall have some assurance from them that the matter is engaging their attention, and that if not now, at some no distant date, this most necessary reform in the employment of the workers will be made.

MR. J. BURNS (Battersea) said, he wished to say a few words from a general labour point of view upon the Wages Vote of the Naval Department. He had to express in part his approval of the action of the Admiralty in giving £30,000 of an increase in wages spread over a few thousand men; but he regretted that they had not, whilst they were about it, gone the whole hog, by ignoring entirely the advice of the permanent officials, doing away with classification altogether, and establishing Trades Union rates of wages. In this matter they had to be frank to the labourers, who asked for an increase of wages, and, at the same time, to be fair to the ratepayers. That was the position he wished to take up. It had been said

by hon. Members on the Opposition side that they were practically allowing the wages and the hours of men employed in the dockyards and the arsenals to be regulated by the Trades Unions, and that that was a condition of things which would be subsequently regretted. He did not share that view. He considered that when Trades Unions brought pressure to bear upon the Government or upon Members of Parliament they were strictly within their legal and constitutional rights, provided that they were not insisting on iniquitous conditions or privileges for dockyard workmen; and if they were to choose between the labour conditions of dockyards being determined by Trades Unions or by Party politicians, he would prefer to see the dockyards dominated by the Trades Unions rather than to have the Army and Navy put up at a Dutch auction for the two political Parties, and knocked down to the highest bidder for dockyard votes. After all, the Trades Unions had a restraining influence, for they were restricted in their demands by the fact that they could not go beyond the market wages and hours prevailing outside the dockyards, and fixed in healthy rivalry; whilst nothing in the world would prevent a Party politician, anxious for place, and privilege, and power, from going as near to Tammany Hall as it was possible for human ingenuity to proceed. He assumed that the Civil Lord of the Admiralty, in fixing the rates of wages, had acted in deference to the strong views of a deputation of workmen who waited on the Admiralty nine months ago, and on the representations made by Members of the House in March and May last. The scandalously low rates of wages which arsenal and dockyard men received were exposed on those occasions. He had in his hand four specimen cases from Chatham. A labourer earned 17s. a week; he paid 4s. 6d. for rent; 1s. 3d. for fuel; clothing, 1s.; club, 6d., leaving 10s. for food for himself and his wife and four children. That, in his opinion, came within the scope of a sweating wage. It was true that the Government had increased the wages to 19s., but having taken the advice of the permanent officials, who went on the principle of starving subordinates for the purpose of keeping up their own extravagantly large salaries, the Government

*Sir J. Gorst*

had set up a system of paying only the permanent men the 19s., and putting the others on probation, giving them only 17s. to begin with, with increases of 1s. a year till 19s. was reached. If 19s. were a fair minimum wage, why not pay it graciously at once, and not compel some men to wait for 18 months or two years before they received 19s.? He intended to call the labourers as well as the Government to account in this matter. He found that many of the labourers, both unskilled and skilled, who got these low wages got up at 4 o'clock in the morning and worked for two or three hours for private contractors before they commenced work in the dockyards, or, after breaking off at 5 o'clock in the evening, worked for local "jerry builders," in order to get their earnings up to the current Trades Union rates of wages. That was a system which the Government should not tolerate. The Government should pay a fair day's wage, and provide that the men were fully qualified for the work they had to perform by insisting that no work should be allowed before or after the day's work in the dockyards for outside firms. He, therefore, appealed to the Government to abolish the provisional policy, and give the Trades Union rates of wages right away. Now, as to the question of skilled workmen, he was under the impression that a man in a mechanical industry received in wages what he had proved his capacity to earn. In turning out war material they wanted the best and most efficient labour that could be secured; but they would be unable to secure that labour so long as they refused to pay Trades Union rates of wages. In his own trade, for instance, the 76,000 men of the Amalgamated Society of Engineers were the best men, and they were all Trade Unionists, and if the Government only paid 32s. a week in the dockyards whilst 36s. was the rate outside they would only get glorified handy men to work for them, instead of competent engineers who had served a genuine apprenticeship. Then, as to classification, he was entirely opposed to it, root and branch. He believed that classification had been adopted in the arsenals by permanent officials with a view to diminish that amount of supervision that in the absence of classification they would have to give in

looking after the men and seeing that they did the proper work. It was contrary to the private yard system, which was, generally speaking, the best system of building vessels. The best plan was to give the men a maximum wage—let it be a Trades Union wage—to demand from them a minimum day's work, and to have no fancy classification which placed in the hands of a foreman who had a house to let the power of promoting his tenant to a higher scale in order to secure his rent when dockyard employment got scarce. He believed that if emoluments, pensions, and bonuses were abolished altogether, and the Trade Union rates of wages paid, the men would be better pleased. He was convinced that these emoluments, about which the men did not trouble themselves a bit, were kept up by the higher officials in order to justify the the big emoluments they obtained for themselves. He would suggest that the men employed in the construction of war material should be placed on the same footing as men employed at the same work outside. This would save the House from being worried every year by these details which a Departmental Committee ought to consider and settle. Generally speaking, the right hon. Gentleman the Member for Cambridge University and himself agreed on labour questions; but he would ask the Government not to follow one piece of advice which the right hon. Gentleman had given them. The right hon. Gentleman had said that he was in favour of the abolition of the distinction between non-established and permanent men. He agreed with the right hon. Gentleman that the abolition of that distinction meant that emoluments, privileges, pensions, and bonuses must go by the board at once. But the right hon. Gentleman asked the Government to bring in a scheme of pensions. He sincerely hoped the Government would do nothing of the kind. Let the Government pay the men Trades Union wages, and then the men could go to their own Sick and Benefit Societies to make provision for their old age, or join with their fellow-workers throughout the country in demanding a national system of insurance based on some scheme of taxation, which they could claim as a right and not as a favour from the Government which incidentally employed

them. He could not understand why the Government hesitated to establish an eight hours day, especially as they had the example of eight or ten large employers of labour on their own side of the House who had shown them how to do it with profit to their workmen and advantage to themselves. He, therefore, hoped that the Government would screw up their courage to the sticking point, and go in for an eight hours day. There was another matter to which he wished to direct attention. He found that in the Government dockyards there was an interchange of trades in all departments and in all classes of work. Shipwrights did engineers' work; boiler-makers did shipwrights' work; and carpenters did engineers' work. That was not the way things were done on the Clyde, Tyne, and in Belfast. In these private dockyards the engineers did engineering work and the shipwrights shipwright work. In some of the arsenals and dockyards they had got men who were jacks of all trades and masters of none. He would like to see the whole system of the supervision of the dockyards overhauled. The fact that a man was on the Front Bench did not imply that he was an embodiment of all the virtues, an Admirable Crichton, fit to run the universe. It was not always so. For his part, he thought that a Committee of 15 or 20 men should have power to visit these dockyards whilst the men were at work, not to interfere with discipline, not to interfere with the permanent officials in their successful administration of these large concerns, but in order to see if there was anything that would improve the condition of the workers and the character of the work they turned out. But such visits to these arsenals and dockyards were not allowed, with the result that some of the best engineers in the world—men who had established and maintained the English supremacy for engineering—were compelled to take statements from discontented workmen at second hand, and had no practical experience of the truth of the complaints. In fact, the House of Commons was behind every Corporation and other Public Bodies which recognised the principle of Trades Union wages, and possessed the right to see, and overhaul, and supervise, and criticise the work of every one of their Departments. He

asked the Government to consider this proposal, whether the ratepayers, through their Members of Parliament, should not get some grip of the administration of the Departments, which spent annually £36,000,000 or £37,000,000? He asked the Government also to make no further bones about establishing an eight hours day in all Government workshops, and they would find that it would be one of the strongest points in their favour amongst the working classes when they appealed to the country.

MR. E. ROBERTSON: I should like to notice some of the points which have arisen in the course of this discussion, and I will take as my starting point the very excellent speech of my hon. Friend the Member for Battersea, who has alluded to most of these points. He concluded by a reference to the 48 hours week. There is no difficulty in the way of our establishing a 48 hours week in the dockyards. We are now so close to the mark, there being only two hours or an hour and a half difference in point of time.

MR. W. ALLAN (Gateshead): Then why do not you do it?

MR. E. ROBERTSON: We have not lost sight of the question. It is now under consideration, and we hope, if we take the step, to be able to bring other Departments with us. I would point out that this question has not been urged on our attention by the working men themselves, because I presume they are so close on the 48 hours a week that the matter does not touch them closely. The hon. Member for Battersea also alluded to the technical matter of the interchange of trades in the dockyards. The most important case of the kind is a contest between the shipwrights and the fitters, and hon. Members will understand that it is a very delicate matter to interfere in a contest of the kind between two trades. We have, to some extent, acceded to the claim of the fitters so far as the ships are concerned; but we hope to inquire more fully into the matter. The one fact that has impressed itself most strongly on my mind as the result of these discussions is the unanimity with which the principle of approbation has been condemned. The right hon. Gentleman the Member for Cambridge University has suspected that I was not myself in favour of it.



He said, indeed, that I was ashamed of it. I cannot make such an admission as that; but I would remind the Committee that I specifically stated that my view was that it was not to be a compulsory but a permissive arrangement. I am much impressed by the arguments which have been urged against it, and I need not say that they shall have due consideration. There has been a general discussion about the rates of the various trades. I will not attempt an answer, but I am half-inclined to think that due justice has not been done to our proposals. We have got the best information that was available as to the rates of wages paid outside for the same class of work as is done in the dockyards, and, acting on that information, we believe we have established what my hon. Friend the Member for Battersea said was the thing we ought to establish—namely, rates of wages in the dockyards corresponding to the rates of wages fixed by competition in the open markets. As to classification, I can only say that we have taken up that position and must abide by it.

\*MR. EGERTON ALLEN (Pembroke, &c.) said, that the dockyard men looked upon the House of Commons as their paymasters, and as the final arbitrators between them and the Admiralty; and as the point of view of the Admiralty, had been very plausibly put before the Committee by officials of the Admiralty it was only fair to the dockyard men that their point of view also should be stated by their Representatives. He did not care whether a Dockyard Representative sat on the Government side or on the Opposition side; he believed that every one of them would deem it his duty to call attention to the grievances of the men, and, so to speak, submit to the arbitration of the House of Commons the difference between them and the Admiralty. For himself, he felt he was in honour bound to place the grievances of the men before the House, and he meant to discharge that obligation. What he asked the Committee to do was to pass a judgment, if possible, on the general principles which ought to govern the relations between the Admiralty and the dockyard servants, and he only brought forward particular grievances in order to illustrate the question of this general principle. The Admiralty, impregnated

as they were by a conception of implicit obedience in the Naval Service, wished to carry on their engagements and their relations with the men as if it was one of the services spelt with a big S in which discipline and order were all in all, and the responsibility of the superior to the subordinate was never for a moment thought of. The men, on the other hand, looked upon their relations with the Admiralty as one of an industrial contract between employers and employed. There should be no more secrecy, no more arbitrary conduct and discipline employed by the Admiralty in their relations with the men in the dockyards than was employed by any private employers of labour. He admitted that there must be discipline, regulation, and, of course, order. But what the men claimed was that there should not be more of it than was found necessary in the case of a private employer. The Secretary to the Admiralty had said the Committee that had been appointed had come to the best possible conclusion in the interests of both parties. He recognised the undoubted ability of the gentlemen who served upon that Committee; but it was a pity that there was not some direct consultation with the men as to any terms to be offered to them before those terms were finally stereotyped. He could not believe that in any great dispute between a private employer of labour and his men any decision could be come to unless the men had the opportunity of putting their views forward on equality with their employer. In the case of private employers, the men were able to kick against injustice; they were able to put the employer to great inconvenience, and to force on him that consideration which they thought was their due. But that power was utterly shut off from the men in Government employ. It was absurd to talk about a strike against the Government; they could not injure the Government by striking against them, as they could in the case of a private employer. Besides, the Government had force at their disposal, which it was utterly impossible to oppose or to grapple with. Again, many of the Government *employés* were under a system of deferred payment, which crippled them in standing out against the wishes of the Government. Therefore, the Government were all the more bound to take just measures to ob-

tain a knowledge of the views of the men. He had received telegram after telegram expressing the dissatisfaction of the men with this new scheme. The last he had received from Pembroke Dock was put into his hands half-an-hour ago, and was as follows :—

“Great dissatisfaction with proposed scheme among shipwrights Maximum rates of present scheme alone will satisfy. Men determined to oppose proposed scheme, which establishes classification and prevents men from obtaining higher rate, which is a great injustice and most objectionable.”

What the shipwrights wanted was a wage of 34s. a week for hired men as the pay all round. The probationary period had been so much attacked that he need not trouble to attack it any further. The men wanted the scheme brought into force at once. They could not see why, if it was fair to raise their wages, it would not be fair to do so at once, and he could not see what the answer could be to that except the difficulty of finding money. But that was not the difficulty which the Government had themselves accepted as a sufficient answer. They had admitted that they ought in fairness to the men to spend at least £30,000 on a new scheme. The obligation being present ought to be discharged at once. The men complained of supercession. After passing examinations which were to secure advancement by an absolute engagement, they found men put over their heads who, in some cases, had not passed an examination at all, or had not passed so well, and in some cases had passed subsequently, and got a priority to which they were not entitled. This was a special grievance with foremen of yards and draughtsmen. There was another point with regard to the rates of pay and retiring allowances. The regulations as to retiring allowances had been prejudicially altered without any warning, and without any saving of the rights of men who had worked under them. Drillers and riveters had been specially affected by a sudden change in rates of pay. Then there was the ignorance of the rates which would be paid for task and job work, and he was glad to find that the Civil Lord had said that that grievance would no longer exist, for hitherto men had been treated as if they had no right to ask questions on the subject. There was another matter of very great

importance, and that was the question of what might be called acting service. Men were working permanently on certain jobs, yet they were not rated as doing those jobs. If they left the Service they would not be given the credit of the work they had been doing, but would be discharged as having been employed on work inferior to the work they had actually done. Men worked as skilled labourers but were rated as ordinary labourers acting as skilled labourers. Then, again, skilled labourers acted as stokers, machine men &c., and part of their pay was cut off because they were not rated for the work they did. The equality of the trades was also a matter of great importance to the men. The shipwrights had an advantage over both joiners and fitters, and, of course, the latter did not like it. The leading men of the shipwrights were called Inspectors, but the leading men of the other sections were not allowed the title or the privileges. The Inspectors were allowed sick leave and casual leave without loss of pay, which the leading men of the joiners and fitters were not allowed. The joiners were worse off than either shipwrights or fitters, because they had no high priest at the Admiralty. If these grievances were shown to be valid they ought to be remedied. It would be a great improvement if the attempt to enforce the present discipline over the men in the dockyards was abandoned. He asked the Civil Lord of the Admiralty to consider this point: that all regulations relating to the men's labour and pay and retiring allowances should be codified and published, and that they should not be altered without full warning to the men and consultation with their Representatives. The men should be allowed to have a real voice in criticising any proposed alteration or new scheme put forward, and he would ask that *The Labour Gazette* should be used by the Admiralty for the purpose of publishing proposed regulations, and that its columns should be open to the complaints of the dockyard men by allowing reasonable letters by them to appear therein.

MR. WOLFF (Belfast, E.) said, of the many speeches that had been made in this Debate the one that struck him most was that of the hon. Member for Batter-

*Mr. Egerton Allen*

sea (Mr. J. Burns). He was a Representative of the working men. For himself, he (Mr. Wolff) was not a Representative of employers of labour, but he was a large employer, and it was, therefore, unlikely that he would take the same view as the hon. Member on all the subjects touched upon by him. He was bound, however, to say that, so far as his speech was concerned with the management of the dockyards, his observations were of a character with which he (Mr. Wolff) thoroughly and entirely agreed. The question of the management of the dockyards could not have been criticised in a fairer or more practical spirit. He had not yet been educated up to the views of the hon. Member for Battersea on the eight hours question; but he agreed with the hon. Member that, if an eight hours day was to become compulsory, and if it was to be introduced into the land, there was no place in which it ought to be introduced sooner than in the Government Service. If there was anything which ought to distinguish the management of Government Establishments it was that they ought to be ahead of private firms, not only as to the work they turned out, but also as to the relations in which they and their *employés* stood to each other. The more he thought of it the more he was persuaded that the Government Dockyards ought to be conducted on the same principle as private yards. He was convinced that before long the Trades Unions would force the Government into that system, and he thought it would be better that they should move in that direction. The system by which men were employed to do everything—and made, so to speak, jacks-of-all-trades and masters of none—was not satisfactory; the Government might by such a system get a quantity of work done, but they would not get the quality that they should get. Besides, the system of classification and differences in rates of wages produced very bad feeling. The labourers employed on the system adopted at the dockyards was against any man so employed becoming a proper skilled tradesman. The probation system had been so fully discussed that he would not delay to speak upon it. It had been fully condemned. There might be something theoretically good in the distinctions that were drawn, but they could not work it in practice. It would be much

better, as he had said, for the Government to adopt the Trades Union principle at once than to wait, resisting it and having to yield in the end. Let them pay first-class men first-class wages, just as a private employer did, and sweep away all pensions and allowances, which, when they came to be put into money, amounted to very little. A certain number of men only enjoyed these extras. Would it not be better to commute or compound them, following the example set in the Irish Church case? Let them, then, keep each tradesman to what he had been taught and trained to. The system of extra pay for extra work was another source of grievance; there was sure to be an outcry while it lasted, just as from experience he could say there used to be in private yards. Another point made by the hon. Member for Battersea was that of having a Committee of Experts appointed by the House to visit the dockyards. He (Mr. Wolff) thought that was very desirable. The opinions of such a Committee would be of great value to the House, to the Navy, to the permanent officials, who, though as he knew were thoroughly efficient men, were apt, through lack of supervision and control by the House, to get into a groove from which nothing would move them. In all respects the yards should be as well managed as those of private firms. There might be some reason for the existence of defects in the system of management in private yards, owing to considerations of which they were all aware—the state of trade in the future and uncertainties that constantly arose; but in the case of the Government that did not apply, as they had their plans laid out for years ahead, and there was no ground for defence if the yards were not properly and efficiently managed.

MR. HANBURY (Preston) said, he had seldom listened to a speech more full of common sense than that delivered by the hon. Member for Battersea. The point he raised was—Were they going upon the old false system by which practically the wages in the dockyards were put up to auction for contending parties to bid for them, or were they going to set up a fair and legitimate standard of wages for the men? Time after time it had happened that this system had been resorted to. He remem-

bered that during the Government of his own Party in 1879 large numbers of men were put upon the Establishment immediately before a General Election. That was the sort of thing that must be put a stop to. He did not speak from Party motives in this matter, but from patriotic motives, and he said there was no Party bias in connection with it. If they were not going to put this question up to Party votes and influences, then the only thing was to have a fixed standard. The House had gone a long way towards the view of the hon. Member for Battersea by its acceptance of a Motion by the present Under Secretary for the Colonies (Sir E. Grey), to the effect that the workmen in these establishments should be paid the current rate of pay. They did not go much further in asking for the Trade Unions standard. That standard ought to be the Trades Union standard, and when they had got that they would put a stop to what had been the great curse of these establishments. There were certain difficulties in the way, he knew, as there were classes of work to which Trades Union rates did not apply—he met it in considering the Army and Navy Estimates—such work as that of accoutrements or military harness work. But they should, as far as possible, adopt private firm rates. But the dockyard men could not both eat their cake and have it; and if the Trades Union standard were adopted they must sweep away all the minor privileges. He did not know what value was placed upon their privileges; but if they were not swept away, they could not have a proper calculation. The course of the whole Civil establishment and dockyard system was that they were not able to dismiss inefficient men in the same way as private firms did. He knew the difficulties in that respect from having been on a Royal Commission which dealt with the question. If they had the Trade Union standard established, they would be able to let the men take the good with the bad, and they would be able to get rid, he hoped, of incompetent men. If political pressure was carried further, and if they did not get a definite standard like the Trades Union standard adopted, a strong feeling would arise that the only way to put a stop to such pressure would be to disfranchise both the Civil servants and the dockyard

workers. That would be the inevitable result. At the present moment pressure was brought to bear by the Civil Service and the dockyards which the House ought not to tolerate. Another question was that of pensions. When a hired man went on to the Establishment 1s. 6d. per week was docked off his wage; but, unless the man lived to the age of 60 and got his pension, the 1s. 6d. never went back into his pocket at all. He did not care so much for the amount as for the principle; and he said that that deduction ought to be treated as deferred pay and go back to the benefit of the man or his family. There could be no doubt it was the man's own money, and he was entitled to it. He had mentioned the age of 60. What became of the man if, at the age of 50, he found he was unable to do any more work! Was the pension in his case the same as in that of the other man?

MR. KEARLEY was understood to say he got a certain proportion.

MR. HANBURY said, he only wanted to make sure upon the point. The hon. Member for Battersea told them they were arguing this question without adequate knowledge. Experience told them what occurred in the private yards; but one out of 50 of them had no practical knowledge of what occurred in the dockyards. They should have better information. They had had only one Committee that had gone into the question, and they would never have adequate knowledge if they did not have a Committee of some sort. His idea was that they should have a Select Committee of the House once every five years—or more frequently, if necessary. This Committee should go into questions affecting the Army and Navy, and he thought the result would be that Members of the House would be kept *au courant* with what was going on in their great spending Departments. Millions were voted in the House to these Departments, and, with the exception of a few gentlemen, they were all in ignorance of the importance of the subject. Members sometimes took no interest—for the most part, they took none. There was one other point in regard to the increase in wages which he would mention. It was said the men did not get the advantage—that the money went into the coffers of the landlords. He was quite sure that

*Mr. Hanbury*



was so at Woolwich and Deptford; but he did not see how they could make any distinction between those and other places. There was only one other remark he had to make. He was convinced that the classification system, however pretty it might be in theory, in practice was thoroughly unworkable. They had now a new system which would lead to a new agitation. As the hon. Member for Devonport (Mr. Kearley) said, there would be no satisfaction until it was altered again. Why could they not put the matter on the same footing as private firms? Until they put into practice in the arsenals and dockyards the system recommended by the hon. Member for Battersea they would not only run the risk of perpetuating the present evils, but of having rival politicians bidding against one another, and then they would have the wages in those establishments higher than those paid under Trades Union rules by private firms. By adopting his suggestion they would have a better system—a suitable system. There were family cliques in these dockyards. There were too many uncles, cousins, and brothers all working side by side, and able to bring greater pressure to bear on the Admiralty even than Trades Unions. That system had to be broken up, and he should cast his vote for Trades Unionism in opposition to it. The sooner the Trades Unions were brought into the dockyards the better.

\*MR. KEARLEY: I think it is necessary for me, in justice to the reply given by the hon. Gentleman the Civil Lord of the Admiralty, to let him know the way we regard it. I understand the hon. Member to say that the probationary period, not only to labourers, skilled or unskilled, but as to the other trades, is to disappear. That clears the situation very considerably, and leaves open only the solution of the question as to the varying rates of pay of mechanics. The Government say that the wages should compare favourably with those prevailing in other parts of the country. I and my friends contend that that means Trades Union wages. The Government said that they had made an exhaustive inquiry, and ascertained what were the varying rates. They put forward the results of their inquiry, and we disagree with their figures. They say it is a fair solution, but we say that it does

not compare with the Trades Union rates. I do not wish to delay the Committee by dividing it on this Vote, although it had been my intention to do so all through. If the Government will be reasonable, and will give us the opportunity of proving that their figures cannot be supported when compared with Trades Union rates of wages throughout the country, we shall be perfectly satisfied. The increase of labourers' wages comes into force at once. I take it that it is settled that the probationary period is to disappear, but as to the mechanics' rates, they are not to come into operation until April next. There is an intervening period during which amendments to the proposed scheme may be considered. I hope they will allow us to place before them evidence to show that their opinion is not in accordance with facts. As to classification, we make it perfectly clear that the men will not tolerate any differentiation of pay to exist, and will insist on there being a uniform rate of pay for all Established and hired men, subject to reductions in the former case for the benefit which the Establishment confers. If the Government wish to get rid of classification, I do not think that they will find us unreasonable in dealing with the question. We do not wish to make this House a cockpit for the contentions of conflicting interests. We are most anxious to get rid of these grievances. I, myself, have some 40 letters a day dealing with them, which is a proof of the hostility to the existing state of things.

\*SIR U. KAY-SHUTTLEWORTH said, that after the reply of the hon. Gentleman, he would make an appeal to the Committee. They had already spent a day and a-half on Section I. of the Vote, which dealt with labour. There were yet the two Sections for material and contract work to be discussed. It was desirable that some time should be devoted to those questions, and yet that money should be voted to the Public Service at the present Sitting. In consideration of the other work which had to be done he would appeal to the Committee to allow the present discussion to come to an end. On the section in Vote 8, bearing upon material, questions affecting shipbuilding could still be raised, but if an undue proportion of the time of the House was occupied on this subject

sufficient could not be devoted to other subjects. He did not wish to press the Committee unnecessarily, but he really would put it to hon. Members whether the time had not come to proceed with the next portion of the Estimates?

MR. HANBURY (Preston) said, the only other Amendment, so far as he knew, in the first section referred to naval yards abroad, and, undoubtedly, there were some important questions to be raised on that Amendment. A great many of the naval yards abroad were not in the condition in which they ought to be, and he imagined that the right hon. Baronet the Member for the Forest of Dean (Sir C. Dilke) and the Member for West Belfast (Mr. Arnold-Forster) had both a great deal to say about Gibraltar alone. That was a distinct question from the question now under discussion, and he did not suppose it could be raised on the item for material. If it could be raised on Section II. of the Vote then, as far as he was concerned, he should be willing to see it and other questions so raised.

SIR U. KAY-SHUTTLEWORTH: What other questions?

MR. HANBURY: I have something to say about St. Helena and Jamaica.

LORD G. HAMILTON (Middlesex, Ealing) said, he thought the Government might fairly expect to obtain Vote 8 to-night; but this section of the Vote was really an important section, and there was hardly a question of any kind that it did not invite discussion on. He did not think that anything would be gained by trying to prematurely conclude the discussion of the section. So far as he was concerned, he had practically nothing further to say, except to ask one or two questions which would not occupy more than a few minutes. If the Representatives of the Admiralty were to allow the discussion to run its natural course nothing would be lost.

SIR U. KAY-SHUTTLEWORTH thought that what the noble Lord had said was said in the fairest possible spirit, and he accepted it in that spirit. The Government could fairly claim Vote 8 to-night.

MR. GIBSON BOWLES (Lynn Regis) said that, in acknowledgment of the fact that they had had a considerable discussion on Section I., he should withdraw his two Amendments on Sub-heads A and B. There were other matters

upon which he should have liked to raise discussion, but he would refrain from doing so. The time had come for something to be said on Gibraltar, Malta, and Jamaica. He would only now add that it was clear the question of dockyard labour could not remain where it was. He agreed with what had fallen from the hon. Members for Preston (Mr. Hanbury) and Battersea (Mr. J. Burns) on the matter. The position of the dockyard labourers must cease to be sport of the political partisan. If it did not, they would come to the American system under which assessments were made on wages to keep a Government in power, or to the Roman system, under which the position of Emperor was set up to auction by the Prætorian Guards. The system advocated by the hon. Member for Battersea was that there should be no pensions or incidental advantages given to the Government workmen, but that labour inside the dockyards should be treated in the same way as labour outside the dockyards, the men being called upon to give a fair day's work for a fair day's wage. He acknowledged the fair spirit in which the right hon. Baronet opposite had treated the Committee, and he was sure there would be no desire to push the Debate on the remaining items further than the public interest demanded.

COMMANDER BETHELL (York, E.R., Holderness) asked if it would be convenient now for him to say what he had desired to say on the general question when it was discussed last night?

THE CHAIRMAN: The hon. and gallant Gentleman would be within his rights in doing so.

COMMANDER BETHELL said, he was anxious to say a word or two on the subject; for though not an expert in the matter of construction, he had for many years taken a great interest in the subject, and might be able to express the views held by his Colleagues on the subject. Some three or four weeks ago he had asked the Financial Secretary to the Admiralty a question as to the loss of the *Victoria*. His hon. Friend had said, in reply, that he could not give a definite answer to the question, because the Minutes of the Court Martial had not then been considered by the Admiralty, and they could come to no conclusion on the matter. The question he had asked was whether there would be

*Sir U. Kay-Shuttleworth*

an inquiry not into the loss of the *Victoria*, but into the reasons which caused the *Victoria* to capsize after the unfortunate accident had occurred. He was very glad to hear from the right hon. Gentleman the Secretary to the Admiralty that their Lordships had come to the conclusion that some inquiry ought to be held into the causes of the capsizing of this ship. The right hon. Gentleman had not specified the nature of the inquiry. He admitted that the inquiry would be a very difficult one, which could only be properly investigated by experts, but for that reason he was certain it would not be satisfactory either to the House or to the country if it was conducted only by a Departmental Committee. Experienced persons from outside should be called in to make the inquiry in order to allay public anxiety with regard to other ships of a similar construction. The hon. Member for Cardiff (Sir E. J. Reed) on the previous night had said something on this subject, and he was afraid the Secretary to the Admiralty had rather misunderstood the position of the hon. Member. It was to be regretted that the hon. Member had read out a list of ships which he held to be liable to a similar accident to that which had occurred to the *Victoria*. The names were familiar, of course, to himself as a naval man. They had been before the public some years, but the hon. Gentleman's reference to them might cause unnecessary uneasiness in the minds of many people serving in the ships. Still, he thought the Financial Secretary to the Admiralty had misunderstood the hon. Gentleman's position. The hon. Gentleman had said that which he had contended for many years—namely, that certain ships, if wounded in a particular way, would be unstable and liable to capsize. The Secretary to the Admiralty, in reply to that, had produced the Minutes of the Committee of Inquiry into the *Inflexible*, and had pointed to some conclusions which had been arrived at by that Committee. He ought on the strength of that hold that the accident to the *Victoria* was no proof of the point for which the hon. Gentleman had been contending for so many years. The criticisms of the right hon. Baronet on the hon. Gentleman the Member for Cardiff were not very fair. Sure was he (Commander Bethell) that a

very complete inquiry by competent persons was absolutely necessary, and he would again impress on the right hon. Gentleman that it was of great importance, on every ground, that the persons who made the inquiry should not be confined to officials connected with the Admiralty. That was all he had to say with regard to the *Victoria*. As to ships of the new construction, he was very doubtful whether at present the opinion of any person as to the relative value of large and small ships was of any value. We had little or nothing to go upon, and it was extremely difficult—in fact, impossible—to form an opinion on the matter until there had been an opportunity of trying the ships for war purposes. Personally—and he gave his opinion for what it was worth—and he was bound to say he did not think it was worth much—he had always held the view that very large ships were a mistake; but he was bound to remember that the bulk of the profession to which he belonged were undoubtedly of opinion that large vessels were essential, for the reason that a high rate of speed was necessary at war. He was inclined to doubt that. It seemed to him that for purposes of battle they ought to sacrifice something, even speed, to get greater turning power for our ships than they now possessed. That was a technical question which he would not go into more fully at present. What was the reason of the construction of these large vessels? He was inclined to think that in this respect they were guided and influenced too much by what foreign countries were doing. We saw foreign countries building large ships, and it required a certain amount of obstinacy to persuade oneself that a large and formidable man-of-war could be successfully opposed by a vessel which seemed less formidable. Years ago the prestige of rams and torpedoes was greater than it was now. Then he thought we were too apt to give preference to large guns. In the first speech he had made in the House he had taken that view. The evolution of naval science would, he believed, be more in the direction of doing damage to vessels by torpedoes, and possibly by rams, than by means of guns, even of the more rapid-firing description. He would pass this criticism on the Admiralty—not only on the present, but on

past Boards of Admiralty—namely, that he did not think they were solicitous and anxious enough about spending money for the purpose of experiment. He did not know how far it might be true, but he was informed, for example, that one or two foreign countries had recently been making large experiments in relation to submarine boats and weapons of war of that sort. We had done nothing in that direction at all. We must remember that if we did not advance in this direction someone else would. In the work of improving machinery and getting vessels to go at great speed, not only were our own Admiralty and other Admiralties engaged, but the whole Mercantile Marine had the same object in view. The result was, that we got the best ship that could be built in regard to speed and machinery. But that was not the case in many branches of naval science. The whole of the brains of the Mercantile Marine were not engaged in trying to elucidate these questions, and he was convinced that our Admiralty ought to set on foot greater investigations and inquiries into these weapons of war which were now so little known to us, and which he strongly suspected indicated the direction which the evolution of armaments would take in the immediate future. France and, he believed, Russia for some time made considerable investigations in regard to this matter of submarine boats. Great improvements were possible, and if they could be introduced and made effective a revolution would at once be brought about in naval warfare. The nation, therefore, which first succeeded in overcoming the difficulty in the way of constructing these boats would have a great advantage over all other countries which had not arrived at that point. He thought, therefore—as he had said in 1886—it was eminently desirable that money should be spent in making experiments in this direction. With regard to turning ships, we were using to-day the very same method that was in use centuries ago. The turning was a trifle quicker now than formerly, but beyond that there was no substantial difference. No naval officer would contest this position: that whoever was fortunate enough in battle to have a vessel that would turn rapidly would have many points in his favour. We should not put the question of rapid turning on one side as out of the

range of practical possibility because other countries had not seriously taken it up yet. We ought to aim at being the first in all developments of this kind. The tendency in this country hitherto had been to follow rather than to lead. He did not think that naval officers were always better judges on naval matters than civilians. Civilians had sometimes given hints which had led to the winning of great battles and to the institution of systems which had never been adopted before. But in some matters, no doubt, the opinion of naval men was most valuable—for instance, as to the size of ships, and what ships could do. In these matters naval officers had actual experience to guide them. But the opinion of naval officers on some subjects—construction, for instance—was of no special value. The advice of naval men ought to be followed on the question of the size of a ship. He had never noticed, however, any keen desire on the part of the Admiralty for naval opinion on these matters. The Admiralty did not reflect fairly the opinion of the Navy. It was partly composed of civilians; but, more than that, the officers who formed the naval portion by no means reflected the opinion of the younger men of the Service. They would do well to listen to the views of the younger generation of officers—men who had not yet risen to the top of the profession, but who might be said, in a sense, to possess the more active minds. There was something to be said for this view. When a man had risen to a high place in his profession his position was secure. Without intending it, perhaps, he lost that extreme desire to follow modern developments, which characterised the younger man. Do not let it be thought that he wished to disparage the ability of the senior naval officers on the Admiralty Board. The Secretary to the Admiralty, he thought, had rather misunderstood the speech of the hon. Member for Belfast, which was not to be wondered at, having regard to the technicality of the hon. Member's speech. The hon. Member had pointed to the fact that at present ships were built with rams which, if used for ramming purposes, would bring destruction to themselves as well as to the vessels rammed. The hon. Member had explained that it was quite possible to construct a ship which would be

*Commander Bethell*



effective for purposes of ramming without receiving serious damage itself in the process. He (Commander Bethell) did not know how that might be, but this question of ramming was one which should not be lost sight of by the Admiralty. It had of late years been too much pushed into the background, owing to the development of torpedoes. It was said that a ship would hesitate to come to close quarters with an enemy for fear of torpedoes. No doubt that, to some extent, was true, and no doubt the position had been made stronger by the introduction of quick-firing guns. But he was inclined to think we should do well to construct a smaller class of vessels for the purpose of ramming and also for carrying torpedoes—vessels which might carry light quick-firing guns—and from this it would be seen that he was in favour of the construction of small vessels. He was afraid Admiralty officials got into deep grooves from which it was difficult to escape, and that we were liable to be exposed to disaster from following too closely the example set by other countries. There had been some discussion on the previous evening on the question of torpedo catchers. He would not detain the Committee for any length of time on this question, for all he had desired to say had been said by others. He would only remark that the information he had received confirmed what had been said already—something was wrong with the torpedo catchers. They had shown themselves inefficient, and there ought to be careful inquiry before new ones were constructed. A little confusion had arisen in consequence of the nomenclature used in connection with these vessels. Some persons spoke of them as torpedo gunboats, and others as torpedo catchers or torpedo destroyers, and it would be well if the Admiralty adopted a uniform nomenclature. He would express a hope that the Secretary to the Admiralty would go further than he had hitherto gone in altering the nomenclature of the various classes of vessels. So much for the technical part of the discussion. He naturally felt inclined to join in the attack upon the Admiralty for their programme, or rather the absence of a programme, for the next two years. It was said they had one, or were going to have one, and their critics would like to be

taken into the confidence of the Government, and to be told what it was going to be. It was clear from the speech of the Secretary to the Admiralty that the miserable little addition they proposed to make to the Navy in the course of the next year or two was not all they intended to propose. There were three battleships to be constructed, two cruisers, and some torpedo catchers. The total sum which the Secretary to the Admiralty spoke of as being set aside for the year had to be reduced by £560,000, which was really used last year. On the question of the increase of the Navy they had a right to press the Government. M. Thiers was credited with having said that a vessel lost to the English Navy only meant another vessel laid down, and the more valid that tradition was the more valuable it would be. It was an idea well worth cherishing and nursing. The idea attaching to it was valuable, and people were largely governed by ideas of that sort. He agreed with those who criticised the Admiralty, and said that they might very well set to work and lay down another vessel to take the place of the *Victoria*. It was no doubt very difficult to make an effective and true comparison between different Navies. There were so many different characteristics in the ships. They were made in so many different ways and their armaments were so different; but the English Navy had undoubtedly since 1885 been raised from a position of inferiority to a position of superiority over any other, and possibly to a position of equality with any two. But for the sake of a few hundred thousand pounds we ought not to go back from a position that had been acquired with so much difficulty. For some reason or another—he believed it could only have been because the Conservative Party proposed it—the Government had placed themselves in opposition to the principle of borrowing money for a short term of years in order to build vessels. But he was sure the Chancellor of the Exchequer, when he turned the matter over in his mind quietly, would admit that, even if there was some objection, from his point of view, to the plan of spreading the cost of ships over a term of years, it was an immense advantage, if only as a motive for the Admiralty insisting on the building of a ship by a certain time.

Under the old system there were long delays, and money voted for one purpose was frequently devoted to another. He hoped, therefore, that the Chancellor of the Exchequer would be disposed to favour the view adopted by the late Government, and would, when the complete programme was placed before the House next year, tell them that he intended to follow that example. He would only add, in conclusion, that he thought there was a tendency shown this year by the Admiralty not quite to appreciate the advantage and the necessity of a steady flow of shipbuilding and new construction. It was so easy to fall behind, and so difficult to regain lost ground; and though the Secretary to the Admiralty had told the Committee that a programme would be produced in the course of next year, meanwhile a certain amount of valuable time would have been lost, a loss which to the present Government would entail, as he thought, great difficulties. He had occupied a considerable amount of the time of the Committee with these observations, but he did not often intervene on naval construction. The last time he had done so was in 1889. He was interested in seeing this country possessed of a large and efficient Navy, and he did not think that at the present moment civilians could fairly charge naval officers with demanding more than there was any necessity for. He did not think they were open to the charge that the hon. Member for Peterborough (Mr. A. C. Morton) brought against them—that of making Jingo speeches. He thought they were doing what their duty called on them to do—that was to say, to spur on the Admiralty to keep the Navy up to that standard to which it had been brought within the past few years, and by no means to allow it to fall back to the position in which it was in 1886-7.

\*MR. ARNOLD - FORSTER (Belfast, W.) said, he desired to say a few words on a point connected with the combatant branch of the Service. He wished to call attention to Sub-head E of the Vote, which related to Gibraltar. He was sanguine enough to believe that what was said to-night would go even further than the Committee, because the matter was a very important one—far more important than any that had been discussed during

the two nights the Vote had been under discussion.

THE CHAIRMAN: I am unwilling to interrupt the hon. Gentleman; but I must draw his attention to the fact that the sub-head to which he refers belongs to the second division of the Vote. The Question before the Committee relates to the expenditure for *personnel*, shipbuilding, and maintenance, including dockyards at home and abroad.

\*MR. ARNOLD-FORSTER said, he was under the impression that, according to the arrangement which had been assented to by right hon. Gentlemen on the two Front Benches, the discussion of the whole Vote might be proceeded with in order that it might be taken before 12 o'clock. If he were in Order, he would proceed on that understanding. In this matter he was not speaking on his own authority alone. What he was about to say he believed accurately represented the opinion of those who were best qualified to speak on the question throughout the Empire. He held in his hand the opinions of men which carried great weight in the matter. The argument he wanted to propound to the Committee was one based not only upon authority or technical knowledge, but upon common sense. They were asked to give two Votes in respect of Gibraltar, and he contended that the amount asked for was either too much or too little. They were not, he submitted, voting an effective sum of money for any public purpose. They got no value out of a half completed work; it was of no use expending nine-tenths of the necessary money and leaving one-tenth of the work undone. Gibraltar was primarily a naval base for the Empire. It had long ago ceased to be a factor in the military disposition of Europe. Gibraltar was not a dépôt for our troops. If we withdraw troops from it, they had to be replaced by other troops from home. It no longer controlled the Straits.

\*SIR U. KAY-SHUTTLEWORTH: I rise to Order. I am sorry to interrupt my hon. Friend, but I must point out that the Vote relates entirely to salaries and materials for shipbuilding, and I submit that the hon. Member is raising the general question of works at Gibraltar, which would properly arise on Vote 10.

*Commander Bethell*

THE CHAIRMAN : I think the hon. Member is bound to confine himself to the subject-matter of the Vote now before the Committee.

\*MR. ARNOLD-FORSTER submitted that he was dealing with matters involved in the Vote—namely, the salaries of the officers in the dockyard of Gibraltar, and he maintained that the expenditure was altogether wrong unless the port and dockyard were adequate for the required purpose. He proposed to show that it was not capable of performing its proper duties. There was a small dockyard at Gibraltar which was supposed to transform it into a naval base, and he had been trying to explain why it was of no value as a naval station. It would be used by the English Fleet to prevent a junction between the Fleets of Toulon and Brest in the event of war with France. Instructions had already been given to the Mediterranean Fleet that in the event of war it was to withdraw to Gibraltar until it could be reinforced by the Channel Squadron. It was inevitable with such a disposition of our Fleet that a general action would be fought in the Straits, and if an English ship were injured she would be obliged to return to Gibraltar. But at present, as regarded repairs there, it would not be possible to drive a bolt into a jolly-boat below the water-line, and it was absolutely certain that a great part of the injury to our ships would be inflicted below the water-line. It would be absolute madness to send injured ships either to Malta or to Devonport in time of war ; they would have to remain at Gibraltar, and we might see our Mediterranean Fleet, which was worth £12,000,000 sterling, stuck there like barges on a mud bank. The injured vessels would have to be put under the guns of Gibraltar in reliance upon such protection as it might afford. Again, there was absolutely no protection from torpedo attack.

\*SIR U. KAY-SHUTTLEWORTH : I rise to Order. The hon. Member is calling attention to the absence of a harbour of shelter at Gibraltar, and that question can be raised on the subsequent Vote, on the item for the New Mole.

THE CHAIRMAN : I think the hon. Member is not in Order. He must keep to the subject-matter of the Vote.

\*MR. ARNOLD-FORSTER said, he was dealing with the condition of the dockyard at Gibraltar and the *personnel* of that yard. He really could not see how he was out of Order in pointing out that the yard was not capable of doing its primary work. It could not perform any useful work at all, and every farthing we spent on salaries and material in connection with it was absolutely wasted. Was it wise and right to pay a considerable sum of money for the salaries of officials to perform a duty which they could not perform with any advantage to the country ? He would prefer to see the money asked for in this particular Vote devoted to really effective purposes. By sanctioning this expenditure they were positively deluding the public. In all the wide world they could not find another naval dockyard worthy of the name in which, as in the case of Gibraltar, there was absolutely no dock. With an honest and earnest desire to keep within the ruling of the Chair, he could not understand why he was debarred from commenting on the fact that there was no dock.

\*SIR U. KAY-SHUTTLEWORTH : I must point out for the third time that the question of adding a dock at Gibraltar can be distinctly raised on Vote 10—on the item in regard to the Mole.

\*MR. ARNOLD-FORSTER : I cannot find that item. There is no mention whatever of a dock in Vote 10. When we reach it I shall probably be told that I cannot discuss the question of a dock on an item referring solely to the Mole.

SIR U. KAY-SHUTTLEWORTH : The question of constructing a dock can clearly be raised on Vote 10.

THE CHAIRMAN : That is so ; I have no doubt upon it. We are now on the Shipbuilding Vote, and the hon. Member must confine his remarks to that.

\*MR. ARNOLD-FORSTER said, he, of course, bowed to the ruling of the Chair, and he would therefore conclude by again calling attention to the common sense aspect of the question, and ask the Committee was it right to expend a considerable sum of money for work which it was clear could only be very imperfectly performed ? He moved the reduction of the Vote by £2,000.

Mr. GIBSON BOWLES hoped the right hon. Gentleman would give an ample and sufficient opportunity for discussing the matters proper to be raised on Vote 10, which were of the highest importance to the country, and not meet the Opposition with the Closure. The question was, were they to be able to use the Mediterranean in time of war? and on that certainly the discussion ought not to be unduly limited. On the present Vote there was an item of £983 for the naval officer in charge of the dockyard. Now Gibraltar was a station where, as everybody knew, ships arrived after a long journey, and there had been put up on the summit of the rock a time-ball. When he was last at Gibraltar the time-ball was not at work, and vessels could not correct their chronometers by it, simply because no proper provision for working it had been made by the naval officer who was in charge of it. Of course, if the right hon. Gentleman opposite could inform him that the time-ball was being worked now he would say no more about the matter.

SIR U. KAY-SHUTTLEWORTH: That subject will be more conveniently discussed when Vote 10 is under the consideration of the Committee.

Mr. GIBSON BOWLES submitted that he was perfectly justified under this Vote in raising questions as to the non-performance of his duties by the naval officer in charge of the yard. He had also to complain that neither coils of rope, spars, nor any other naval stores which were continually being required by the crippled ships which came in from the Atlantic could be obtained at Gibraltar. Of course, he might be told that these things could all be obtained at Malta, but it was too much to ask such vessels to proceed 1,000 miles further up the Mediterranean to obtain such stores.

Mr. FORWOOD said, he wished to put a question to the right hon. Gentleman with regard to the amounts asked for for the repairs of old ships. The repairs of the *Sultan* had very properly been taken in hand, and the amount to be expended on her was estimated at £66,000; but no allusion was made in the Estimates for re-engining her, which would cost another £70,000. Surely some steps ought to be taken to have the engines ready for her by the time they were wanted. Large sums had been

spent in repairing the *Northumberland* and the *Agincourt*, both of which were armed with old muzzle-loading guns, and could only attain a comparatively slow speed. He thought the money might have been better appropriated. Then the old *Warrior* had turned up again, and £10,000 was asked for repairing her this year, and £35,000 more was to be asked next year. She, also, was armed with old muzzle-loading guns. Another obsolete vessel, upon which it was proposed to spend £23,000, was the *Comus*, which was armed with 64-pounder guns. It was a mere waste of money to spend these large sums in repairing obsolete vessels.

\*SIR U. KAY-SHUTTLEWORTH: I may say at once that we are not solely responsible in the matter of the *Warrior* and the *Agincourt*, because the repairs had been ordered to be executed by the Board of Admiralty of the late Government, and we are acting strictly in accordance with what has been decided on by my predecessors.

Mr. FORWOOD quite admitted that fact, but asked whether the present Board intended to replace the old armaments of these vessels with modern guns?

\*SIR U. KAY-SHUTTLEWORTH: In the case of the *Hercules*, it was decided by our predecessors to retain the muzzle-loading guns on account of the enormous expense which attended total changes in the character of such a ship's armament, and we have simply adopted a similar policy in the case of the vessels mentioned by my right hon. Friend. As to the *Sultan*, the wishes of the right hon. Gentleman have been anticipated, and tenders have been invited for engines. With regard to the repairs of vessels of the C class, like the *Comus*, the subject was very fully considered during the time the right hon. Gentleman held office in connection with the *Champion* and the *Cleopatra*, and a strong case was made for the necessity of repairing them on account of the great value of that kind of vessel on foreign stations, and of the fact that they were building no more vessels of that type. If my right hon. Friend did not succeed in dissuading the Board of which he was a Member, I fear he cannot expect to be more successful with the present Board.



SIR C. W. DILKE (Gloucester, Forest of Dean) asked whether any experiments were being conducted in this country with submarine boats? The Navy ought certainly to be ahead of all the Navies of the world in regard to these new inventions. He feared that, as we were falling behind in the use of high explosives, so also in regard to submarine boats we were not attempting to utilise what would be sooner or later a very important method of naval warfare. He knew it was said that some of the French submarine boats were failures; but the French were navigating submarine boats for a much greater sea distance than was believed, and much secrecy was being observed with regard to them. It seemed to him the time had come when they should see that this country was not left behind in the race for new inventions.

MR. HANBURY called attention to the case of Port Royal, Jamaica. Time after time attempts had been made to get some information about the naval yards abroad, but without effect. On the Public Accounts Commission recently the question was raised, and it was found impossible to get anyone at the Admiralty to give the desired information about these foreign dockyards. It seemed that in the case of Port Royal, Jamaica, although there was very little work to be done there, the same establishment was maintained now as existed when, in the days of the Slave Trade, the station was one of great importance. A receiving ship with 90 men was stationed there, but he had been told that no work had been done by that ship for at least two years. Then there was a hospital with three doctors, though there were seldom more than two patients, a statement which he had on the authority of a letter to *The Times* by Lord Brassey, who had recently visited the place. He held there was no justification for keeping up these establishments. He was sure the Secretary to the Admiralty would not be able to give him any reply, simply because the right hon. Gentleman knew nothing of the matter. The right hon. Gentleman had no information to give. It was, indeed, ridiculous that those things should be put down on the Estimates year after year, although there was no official at the Admiralty who knew anything whatever about them. Unless some explana-

tion were given he would move to reduce the Vote.

DR. TANNER (Cork Co., Mid) said, that the hon. Member for Preston (Mr. Hanbury) had carefully refrained from drawing attention to these various matters when the late Government was in power. The hon. Member's action was absurd and ridiculous, but quite worthy of him.

MR. W. FIELD (Dublin, St. Patrick's) asked why greater use was not made of Haulbowline Dockyard? The total expenditure on Haulbowline last year was only £3,550, while the total expenditure on other dockyards was £367,225. That was a matter that ought to be explained.

\*MR. GIBSON BOWLES pointed out that the cost of the dockyard at Jamaica, to which he had called attention by a question some months ago, was £12,149. Naval officers had informed him that no use was made of the yard, and in reply to his questions the Admiralty had avowed that last year only six ships entered it, and that only 84 men visited the hospital. The cost per man was, therefore, £144. That expenditure could not be justified, and it was high time attention was drawn to these worm-eaten, moss-grown abuses.

\*SIR U. KAY-SHUTTLEWORTH said, that Admiral Hopkins had recommended that Port Royal should not be continued as a dockyard, and a local Committee was to report on his proposal. The medical staff was retained at the hospital in case of yellow fever breaking out. Since 1888 the late Director of Dockyards had visited Vancouver, Halifax, and Bermuda, and the present Director had visited Gibraltar and Malta, so that the Admiralty were in possession of full information about the naval yards at those places, and he could assure the Committee that the important points which had been raised would not be lost sight of.

MR. GIBSON BOWLES asked whether any experiments were being conducted in the Navy as to the use of liquid fuel in lieu of coal? The matter was very important, both in regard to the question of storage and the amount of work to be got from fuel. Oil was now largely used by the Russian Government as fuel in place of coal.

SIR U. KAY-SHUTTLEWORTH said, he was not prepared to answer that question without notice; but the hon.

Gentleman might be sure that such an important matter would not be overlooked.

LORD G. HAMILTON (Middlesex, Ealing): I wish to call attention to two questions under the heads of "hulls of ships building by contract" and "the reserve of merchant cruisers." The sum of £260,000 is asked for in order to enter into contracts with private firms for the building of hulls of new ships, and of that amount £57,000 is taken for two cruisers which the Admiralty proposed to lay down. But, in a Circular issued on Saturday last, we are informed that it is the intention of the Admiralty to abandon the idea of laying down the second cruiser.

\*SIR U. KAY-SHUTTLEWORTH: To postpone it till next year.

LORD G. HAMILTON: And to devote a portion of the money to the building of 14 torpedo catchers. I object on principle to any great Department such as the Admiralty changing their minds upon such an important question after their plans have been laid before Parliament, and after the Estimates have been six months under consideration. I think the decision would be unfortunate in regard to the relations of the Department with the Treasury, because the Treasury, very naturally from their point of view, dispute any expenditure forced upon them; and unless the Admiralty can show a good reason for the expenditure, probably they will not succeed in their demand. Yesterday the Financial Secretary said that one of the reasons which induced the Admiralty to alter their mind was the fact that a number of vessels of similar type, for which the late Board were responsible, had not fully complied with the expectations of their designers in the speed which it was hoped they would attain. Under the Naval Defence Act 18 vessels embodying an improvement of both these types were laid down, and so far as was known the form of those vessels was perfect. They were laid down in successive batches, and had fully attained the speed for which they were designed. But I also understand that during the recent manœuvres a certain number of them failed under certain conditions. Unless there is any special reason against presenting a full Report on the behaviour of these vessels, I think

it is desirable the Committee should know all about them. If the form is right, and the horse-power sufficient to drive the vessels at the speed specified, it seems to me to be clear that if there is any defect it must be due to the construction of the boilers. Of all questions with which the Admiralty has to deal, none is more difficult than to obtain the highest boiler power out of the least possible weight. Last year, for the purpose of testing the various forms of boilers, six experimental torpedo catchers were ordered, and they were given to three of the best known private firms in the country. It was hoped that these vessels would be completed some time this summer, and that the result of the trial would place the Admiralty in possession of *data*, upon which they might be able to proceed in the construction of the other 14 vessels of the same character which Lord Spencer speaks of in his Memorandum. These torpedo boats have to attain a guaranteed speed of 27 knots an hour. To get 27 knots an hour out of a vessel of 200 or 300 tons is a remarkable development of speed, requiring a rare combination of excellence in the boilers and machinery. It was anticipated that in their armaments and speed-going capacity these vessels would be superior to any built, and it was proposed to complete and try these first examples in the summer, and subsequently to order 14 other vessels of the same class and type. I understand, however, that none of the experimental vessels have been delivered; and, therefore, it appears to me that the Government would be somewhat anticipating the result of the experiments in embarking upon the construction of 14 more before these six vessels have been completed and tried. I expressed, yesterday, some scepticism as to the possibility of spending all the money which was originally to have been devoted to the new cruiser on these torpedo catchers. The right hon. Gentleman the Financial Secretary to the Admiralty in reply, so far as I can recollect, said that arrangements had been made with private firms for the purpose of placing these 14 vessels as soon as possible, and that the condition of the contract was such that if subsequent experience showed that any modifications were required in the specifications they could be intro-

*Sir U. Kay-Shuttleworth*

duced into the contract. I have had some experience in placing contracts with private firms. The late Financial Secretary and myself had to deal with contracts of probably greater dimensions than fell to the lot of any previous Board of Admiralty. If there is one thing more than another on which the Admiralty ought to insist it is that the specifications should be made so as not to be broken, and to attempt to enter into contracts with private firms on the understanding that the specifications are to be afterwards modified by experience or *data* subsequently given to the Admiralty is an entirely wrong business principle.

\*SIR U. KAY-SHUTTLEWORTH: I never said anything about the specification.

LORD G. HAMILTON: The fact is admitted that there are six experimental vessels which are to have boilers of different types, so as to judge which are the best suited for the purpose. I advise the Admiralty not to embark on the other experimental vessels until they have *data* to go upon as to the form of boilers most suitable for such vessels. These vessels are to be built very rapidly—I suppose 15 months hence will be the extreme limit of time required for their construction; and, both on the merits of the question as well as on principle, I hope the Admiralty will reconsider their decision, and adhere to their original proposition to lay down these two cruisers instead of these torpedo vessels. I am sure they enter into a risk by ordering 14 more vessels of an experimental type, before they know what particular boiler will give them the exceptional speed they require. I trust, therefore, the Secretary to the Admiralty will reconsider the decision which he announced yesterday. I do not ask him to give me a definite reply to-night; but perhaps he will be able to do so on the Report. The second question I wish to call attention to is the diminution in the sum for the Royal Reserve of merchant cruisers. Last year this item stood at £60,000. This year it is only £22,000. It may be that the original contracts with the owners of merchant cruisers lapsed, and consequently there is a saving in the interval before fresh contracts were made. I believe there was no part of the

policy of the late Board of Admiralty which the House of Commons was more interested in, and favoured more, than the attempt we made to acquire a reserve of merchant cruisers. The idea occurred to me to try and get the merchant cruisers when some six or seven years ago, by open competition, a foreign firm got a great postage contract to run to America, and that contract was nothing more nor less than a subsidy to a foreign firm which possessed a certain number of fast passenger steamers. It seemed to me, therefore, that if we could utilise the money spent by the Post Office in making contracts with the owners of vessels, whereby they would be liable to place such vessels at the disposal of the Admiralty in time of emergency, it would be a good thing for the Admiralty, whilst at the same time it would effectually prevent foreign vessels getting an annual grant out of English funds. The result of the arrangement has been that for the past five or six years there has been at the disposal of the Admiralty six of the finest merchant vessels in the world, capable of attaining a speed in a sea-way which no other vessels can attain; and if the country is ever landed in an emergency, the value of these vessels will be inestimable. The *Majestic* and *Teutonic*, for instance, will carry 3,000 or 4,000 men at such a rate of speed that it would be hopeless for any cruisers to attempt to pursue them, and if used as scouts by the Fleet they would be almost invaluable. I hope there is no intention on the part of the present Board of Admiralty to reverse the policy of the late Board in this respect. I think the Committee will be interested to know what is the reason of this reduction, because I may say that one good result of the policy of obtaining a certain number of these merchant cruisers has been not only to bring the Merchant Service into closer contact with the Navy, but also to establish a much closer association of the officers and men of the Mercantile Marine with those of the Royal Navy than has ever existed before. These are the two questions I would like the Financial Secretary to the Admiralty to answer—First, whether he would not undertake to revise the decision of the Admiralty to postpone the commencement of building the large cruiser; and, secondly, the reasons for the reduc-

tion of the sum taken by the merchant cruisers of the Naval Reserve?

\*SIR U. KAY-SHUTTLEWORTH: I take notice of the fact that the noble Lord says he would prefer that I should not give an immediate answer as to the torpedo destroyers. I would, however, point out that while the arrangement made by the Admiralty is that the torpedo boat destroyers shall be commenced at once, we shall have experience of the working of the boilers in the boats now being completed in good time to utilise it for the others before the latter are far advanced. As I stated last night, the Admiralty are impressed with the imperative need of this class of vessels, in order to meet the swarms of torpedo boats which exist in foreign ports. Coming to the merchant cruisers, I think my noble Friend has forgotten for the moment the very wise arrangement entered into during the latter part of the period in which he held Office. In the earlier part of the noble Lord's tenure of Office it was customary to pay the subsidy on the merchant cruisers year by year; but owing to the transfer of two of these cruisers to a foreign flag it was felt that it would be wise to keep a year's subsidy in hand. This is the only reason for the reduction in this year's Estimate. A year's subsidy has been kept in hand, in accordance with the new form of contract. I will also mention this. On coming into Office we found that the late Government had, on the eve of leaving Office, entered into further agreement with two great companies with regard to merchant cruisers, and we are carrying out the arrangements then made by our predecessors, so that I think the noble Lord has no ground of complaint. What we shall do in the future depends very much upon some points which I cannot enter into at this hour. I may mention that there is a scheme in connection with troopships which is under the consideration of the Admiralty, which may afford a very efficient new class of cruisers to the Admiralty, and which may, to some extent, take the place in a more efficient form of some of these merchant cruisers. I do not enter at all into the question of the policy of merchant cruisers now, and I only point out that the cause of this reduction this year is as I have stated, and that we are carrying out the arrangements made by our predecessors.

*Lord G. Hamilton*

Original Question put, and agreed to.

2. £1,656,000, Shipbuilding, Repairs, Maintenance, &c.—Material.—Agreed to.

3. £1,266,000, Shipbuilding, Repairs, Maintenance, &c.—Contract Work.—Agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £1,315,200, be granted to Her Majesty, to defray the Expense of Naval Armaments, which will come in course of payment during the year ending on the 31st day of March, 1894."

MR. HANBURY moved to report Progress, saying that it had been agreed to report Progress after Vote 8 had been obtained.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Hanbury*,)—put, and agreed to.

Resolutions to be reported To-morrow.

Committee also report Progress; to sit again To-morrow.

LORD G. HAMILTON asked what Estimates would be taken on Monday?

SIR W. HARCOURT: The Civil Service Estimates?

MR. HANBURY: Will they be taken in order?

SIR W. HARCOURT: I cannot say.

#### FERTILISERS AND FEEDING STUFFS BILL.—(No. 345.)

Bill, as amended by the Standing Committee, considered.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (*Mr. H. Gardner, Essex, Saffron Walden*) moved the following Amendment:—

Clause 2, page 1, line 15, after "(1)" insert "Every person who sells for use as food for cattle any article which has been artificially prepared shall give to the purchaser an invoice stating the name of the article and whether it has been prepared from one substance or seed, or from more than one substance or seed, and this invoice shall have effect as a warranty by the seller of the statements contained therein."

Amendment agreed to.

MR. MORE (*Shropshire, Ludlow*) (on behalf of *Mr. Heneage*) moved the omission of Clause 4.

Amendment agreed to.



MR. H. GARDNER moved the following Amendment :—

Clause 6, page 4, line 4, after "analyst," insert "and the seller shall, on payment of a fee sanctioned by the Treasury, be entitled to have the sample analysed by the chief analyst, and to receive from him a certificate of the result of his analysis."

Amendment agreed to.

MR. MORE moved an Amendment in Clause 7, page 4, line 23, leave out "Sub-section 1."

Amendment agreed to.

MR. H. GARDNER moved in Clause 7, page 4, line 27, leave out "or by the Board of Agriculture."

MR. MORE urged that the Board of Agriculture should be the prosecuting Body, and for these reasons. First, that the Report of the Departmental Committee had so recommended; secondly, that the Board of Trade, prosecuting under the Merchandise Marks Act, was a precedent; and, thirdly, that the Act would be inoperative without this power, as the farmers were too weak, and the County Councils could not be relied on to prosecute. If the Treasury objected to the retention of the Board of Agriculture as the prosecuting Body, and if from this cause the Act should prove to be inoperative, he hoped means would be taken to strengthen it.

MR. H. GARDNER remarked that in the first instance these words, which he now moved to omit, were inserted, but the Treasury decided that it would be very undesirable that the Board of Agriculture should be the prosecuting Body, and it was necessary, therefore, to exclude the words.

Amendment agreed to.

\*MR. MORE (for MR. H. HOBHOUSE) moved the following Amendment :—

Clause 7, page 4, line 23, at end, insert "but in the case of an offence under Section 3 shall not be instituted by the person aggrieved or by an association except on a certificate by the Board of Agriculture that there is reasonable ground for the prosecution."

Amendment agreed to.

MR. H. GARDNER said, this Bill was accepted by both sides of the House, it had passed the Grand Committee, and he hoped that permission would now be given for it to be read a third time.

Motion made, and Question, "That the Bill be now read the third time," put, and agreed to.

Bill passed.

# UNIVERSITY OF WALES (CHARTER).

## MOTION FOR AN ADDRESS.

MR. BRYN ROBERTS (Carnarvonshire, Eifion) rose to move—

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her assent from the Charter of the University of Wales in its present form, and until it be amended so as to enable students connected with the University Colleges of Aberystwith, Cardiff, or Bangor, to present themselves for the examinations for degrees."

He said, he wished at the outset to point out that there was nothing of a Party character in the Motion. Members on both sides of the House supported the Charter as it at present stood, and also Members on both sides of the House desired the alteration and amendment he was now proposing. Not only was the Motion of a non-Party character, but the proposal was not directed against the Charter. None of them wished to see the Charter rejected, and the sole object of the Motion was to extend the basis of the Charter so as to include all Welshmen who desired to avail themselves of the advantages of the Universities, and to present themselves for examination. The Petition for the Charter was presented by the three Colleges of Aberystwith, Cardiff, and Bangor, and it was only necessary to read the Charter itself to see that it was proposed absolutely and exclusively for the benefit of these three Colleges. That was the ground of complaint against it. He and those who supported him were desirous that the benefits of the University of Wales should not be confined to these three Colleges, but that every man competent to pass an examination for a degree should be allowed to present himself for such examination. There were a large number of other Colleges besides these three. There were several denominational Colleges which had also Arts courses; there were also Intermediate Schools to be established under the intermediate system, as well as many private students, and all these ought to be entitled to present themselves at the University examinations; but if the Charter passed without the Amendment

suggested, they would be completely excluded from the benefit of this University, the Charter for which, as it stood, was designed solely and exclusively as a measure of protection for these three Colleges, and to confine degrees solely to these Colleges. This was done under the semblance of having a teaching University; but the University, as such, did not profess to teach at all, and it had not got a single Professor or Lecturer, but it assumed the semblance of a teaching University by confining its degrees to the three Colleges. There were large numbers of men in Wales who were unable to afford the time and money to go to any of these three Colleges. Many who were anxious to obtain University degrees could not spare the time to go to College, because they would have to do so at that period when they were leaving some occupation or profession. Such a class of young men, he submitted, were deserving of every encouragement. Many elementary teachers in Wales had already gone through the University of London or Ireland, and had been able to obtain degrees, while, at the same time, carrying on their calling as elementary teachers. There were also many ministers of religion who had started their education in grammar schools and other institutions, who had been unable to afford the time to continue at a College, but who desired to continue their studies and go in for a University degree. By this Charter all such classes would be completely excluded, and no one would be entitled to go in for a degree in the Welsh University except students who attended one of the three Colleges. He was in no way against these Colleges, but he thought it would be an evil to unduly force the students to go there. Let the Colleges rely on their own merits. They were excellent institutions, with good teachers; and, that being so, they ought to have sufficient reliance upon their advantages without making the present Charter a measure of protection by enacting that no one should go in for these degrees except students of these Colleges. It was cruel kindness to some young men to require them to study at these Colleges before they had learned a profession, so that after they had attained the age of 21, 22, or 23, they found they had probably exhausted

their means. If the Charter was passed in its present form, young men such as he had described would be told that they could not obtain degrees in their own native University, and they would be driven either to Ireland or to London. The only objections that were raised to this Amendment were these—it was said it was important to have a University training before a degree was granted. But if examinations were of any value, or were any test at all, he submitted they were a test of educational training. He admitted the advantage of young men going to the older Universities like Oxford and Cambridge, and mixing with representatives of every class of society; but it was different in the present case. It was, no doubt, of great value to young men to go to the older Universities, and come in contact with men of different classes of society, from different parts of the country, and of the highest intellectual attainments. But the Colleges in Wales were small, local Colleges, situated at a distance of 100 miles apart, and between which there was no common life or communion. They were non-residential—at any rate, two of them, Cardiff and Bangor, were. The students came from certain prescribed areas surrounding the Colleges, and were all of the same class. It was also said that, unless a training by the Colleges was made compulsory, there was a danger of the examination being vitiated by the system of “cramming.” He objected as much as anyone to the evils of “cramming,” but it was assumed by those who differed from him on this matter that those evils were confined to private students and private schools. But it was notorious that “cramming” existed to a very large extent in the great English Universities. The evils of cramming extended quite as much to the students of the Universities as they did to private students. In fact, these evils would be felt less by the class of private students that would present themselves in this University of Wales, because the latter belonged to a class of men who were engaged in other pursuits and devoted their leisure hours to the prosecution of their studies. The evils of cramming were chiefly found where there was an attempt to learn too quickly; but these Welsh students would not be subject to its influence, for the

*Mr. Bryn Roberts*

reason that they would be devoting their leisure time to their studies. The system that was now sought to be adopted by the University College of Wales had been tried and found wanting by other Universities. The University of London was founded on the same basis in relation to the two constituent Colleges connected with it; but the plan was proved to be unsatisfactory, and in 1858 a new Charter was granted to the University placing it on its present basis, so that any student, whether connected with an affiliated College or not, was entitled to present himself and obtain his degree if he was able to pass. The Royal University of Ireland simply absorbed the Queen's Colleges of Ireland, which up to 1880 were residential Colleges to some extent, and the University degrees were confined to students who were presented from those Colleges. But in 1880 an Act was passed throwing open the University degrees to every student. The condition of Wales was much the same as that of Ireland. A number of men were to be found there who had neither the time nor the money to enable them to go to these Colleges. All they asked was that the University of Wales should be established on the same principle as the University of Ireland. He simply wanted an analogous provision in this Charter to the one which existed in the Irish University Education Act, and which was as follows:—

"No residence in College nor attendance at lectures or any other course of instruction in the University shall be obligatory on any candidate for a degree, save for a degree in medicine and surgery."

He gladly avowed that the feeling in Wales was strongly in favour of a National Charter. They felt, and they had felt for years, that they had as much right to have a Charter for a University for Wales as Ireland, Scotland, or England had, and that they were quite within their rights in asking for such a Charter. On the question whether the Charter should include private private students, or be confined to the three Colleges of Bangor, Aberystwith, and Cardiff, the opinion of Wales was almost unanimous in favour of the views he had advanced. If they excluded the opinion of those interested in the three Colleges named, and appealed to the mass of the Welsh people, their opinion was over-

whelmingly in favour of broadening the basis of the University, so as to include artisans, elementary school teachers, Dissenting ministers, and other private students. He merely wished to amend the Charter, not to defeat it. He hoped the Government would take no part on this Motion, but that they would let it be decided by the House. If the Motion were passed there was nothing in the world to prevent a Departmental Committee being appointed to see how the clause he had moved could be included, the Charter might then be passed, and its passage would meet with the approval of all sections of the community in Wales. He begged to move the Motion.

MR. D. A. THOMAS (Merthyr Tydvil) seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her assent from the Charter of the University of Wales in its present form, and until it be amended so as to enable students, unconnected with the University Colleges of Aberystwith, Cardiff, or Bangor, to present themselves for the examinations for degrees."—(Mr. Bryn Roberts.)

MR. STANLEY LEIGHTON (Shropshire, Oswestry), in supporting the Motion, agreed that there was no Party feeling in this matter, and all that the friends of Wales desired was the good of Wales. They desired that this question should be settled and argued upon its merits. As had been said by the Mover of this Motion, they felt that this Charter was drawn upon too narrow and too illiberal a basis. As the hon. Gentleman had said, it was nothing but a Charter for the protection of the three constituent Colleges of Bangor, Aberystwith, and Cardiff. What were these Institutions? They were new Institutions of hardly 10 years old, some of them less. They were Institutions which were supported and backed up by £4,000 a year from the State, and were not self-supporting. Bangor was under such a cloud at the present moment that it was questionable whether it would ever be able to raise itself again in public estimation, and Aberystwith was at a standstill. In the year 1887 there were 99 Welsh students there. In 1891, which was the last Report he had been able to get hold of, there were only 85 Welsh students, and the numbers were just kept up by the English students,

who in 1887 were 48, having risen to 64 in 1891. As for Cardiff, which was a great British seaport, and only geographically in Wales, almost the whole of the students who were there were there for a very short period; they seldom remained in residence very long—sometimes not even six months—and a very large proportion of them were English. Possibly these growing Institutions might eventually do some good educational work, but at present they were simply sowing very wild oats. Success with regard to Universities, as every one knew—and no one knew better than the Vice President—was very slow. They could not turn out a College ready made like they could a coat. The last Report on Welsh Higher Education was famous on account of the weakness of the Chairman and the strength of the other Members. Lord Aberdare was a changeable man; he changed with every gust of opinion. He did not hold the same opinion he held 10 years ago. He ventured to say that he did not hold the same opinion now as when the Report was published. The dominating spirit in the Report was that of Mr. Henry Richard, the great representative of Welsh Methodism—

An hon. MEMBER: He is not a Methodist.

MR. STANLEY LEIGHTON: What is he, then?

An hon. MEMBER: A Congregationalist.

MR. STANLEY LEIGHTON: A Methodist Congregationalist. At all events, he was a liberal-minded man. The Report proposed that the Charter conferred on St. David's College should be withdrawn, and a new Charter granted to a Syndicate or Board consisting of representatives in equal numbers of St. David's, Aberystwith, and any other College being a place of advanced secular education that may be affiliated for the purpose. Why had not the Charter followed that wise recommendation of that unanimous Report? Lampeter, as the oldest Welsh College—founded 60 years ago—had grown in importance; its standard was that of Oxford and Cambridge; it was affiliated to those Universities; it had no religious tests, and educational character should be the test of inclusion among the constituent Colleges. How was it that Lampeter had

not been heard? Lampeter had been closed. They had been refused a hearing before the Privy Council. He appealed to the Vice President (Mr. Acland) to say if that were not so. This Charter was nothing but a scheme prepared by a caucus of these three Colleges, and nothing but a method of protecting them. There would be the greatest advantage in having among the constituent Colleges a College with a residential system. This was to be a Teaching University, and theology a subject to be taught—a subject for which a degree was to be given—but, would it be believed? not one of the three constituent Colleges had power to teach theology at all. It was prohibited in the curriculum, and Lampeter alone was enabled to give theological training to its students. Lord Aberdare's Report held the field until some other Report was presented. There was another Report, which gave facts, figures, and other information; but it was in the pocket of the right hon. Gentleman (Mr. Acland), who refused to show it. The Charter was intolerant and illiberal in character; it did not represent the aspirations of Wales; it was vigorously opposed by a large section of Nonconformists as well as Churchmen, and by every enlightened supporter of higher education, and he begged the Government to reconsider the question, and not force the Charter in its present form.

MR. D. B. JONES (Gloucester, Stroud) said, he would occupy just a few moments replying to the observations of the hon. and learned Gentleman who moved this Resolution. The hon. Gentleman did not object to a University for Wales, but to this particular University, and on the ground that it did not confer degrees as a result of examination under it. This objection was founded on the idea that there was a demand for such a University as the hon. Member wished for; but anyone who took the trouble to look at the history of the educational movement in Wales would see that there had never been any serious demand for the creation of a University independent of the three University Colleges. Those Colleges were created to meet the demand for better intermediate and University education in Wales, and the demand for a University was merely subsidiary. The

*Mr. Stanley Leighton*



people of Wales had contributed largely to the support of the Colleges; they were governed by Representative Bodies; and—notwithstanding what the hon. Member opposite had said—they had met with a remarkable amount of success, since they had turned out a large number of young men who had received a University training quite as good as that to be had in any other College in the Kingdom. It was said they should be allowed to confer on their students the same symbols of academic distinction as other such Bodies granted. That was a demand the Council and the Government had yielded to. But the demand to-night was for another kind of University—an Examining University. But it was to be remembered that these Colleges in Wales would object to an Examining University on the same ground that University College, London, and King's College were objected to by the University of London. The question arose—was there any need for an Examining University in Wales? The London University was at this moment in Wales performing the very functions which his hon. and learned Friend wished to see performed by the Charter as amended. What, then, became of the grievance to which his hon. and learned Friend referred? He (Mr. D. B. Jones) would not like to see an examining University established in Wales which would enable students to take degrees easier than at the London University. That being so, what plausible reason could be urged for the establishment of a new Examining Body in Wales? Nearly all the persons who went up from Wales for the London University examinations went up from one of the three Colleges. In fact, a short time ago one-eighth of the students who obtained the B.A. degree in the London University in that year were students from these University Colleges. And the hon. and learned Gentleman would see that the Board might, under the Charter, take measures to institute extra-University courses, and to hold examinations in connection therewith; and attendance at those courses would exempt from the full period of attendance at the College course. In this Charter there was a further provision to meet the case of the persons on whose behalf the

hon. and learned Member had spoken. It was proposed to be enacted that the Court might grant diplomas or certificates in such subjects and under such provisions as might be determined by Statute. That seemed to him to meet the case which the hon. and learned Member had in view. A very important educational scheme was involved in this Motion—the question of an Examining University as opposed to a Teaching University. He believed the best educational authorities—the majority of cultured men—were opposed to the granting of degrees simply as a result of examination. The London University had encouraged the practice of cramming—a practice which cultivated the memory at the expense of the judgment. The object of a Training College or a University was not to make a man a walking encyclopædia, but to train his faculties for use in after life—that he might be able to pass judgment on the faculties of life. He felt it necessary, for the reasons he had stated and in the interests of Wales, to oppose the Motion.

MR. KENYON (Denbigh) said, he would confine his remarks to one or two of the points raised by the Mover of the Resolution. Lord Aberdare had been twitted with a change of opinion on this subject, but he would venture to point out that the circumstances had changed—that at the time Lord Aberdare's Commission sat there was only one College in Wales, whereas now there were three Colleges—Bangor, Aberystwith, and Cardiff—all doing good work. It was said the edifice was not to be crowned, because certain gentlemen had laid down a law that a certain constituent College was to be included in the University. What was that College? It was a Theological College. Why was not the claim of the particular College to be included in the University Charter made in proper time—namely, while the discussion of the Charter was proceeding? To-night, in another place, it was stated that the tribunal was incompetent. As a matter of fact, that tribunal was representative of all the best educational interests in Wales; if the claim was to be made, it should have been made at the time the Charter was being discussed, when it would have been entitled to, and would have had, fair consideration. That incompetent tribunal

took into consideration the question of Lampeter College, but Lampeter College made no claim to be included. The hon. Member opposite said he resisted the Charter because he wished particular terms made with Lampeter College. Did he not know that particular terms had been made?

\*MR. BRYN ROBERTS asked whether the remarks of the hon. Member were in Order? They were directed to the Resolution of the hon. Member for the Oswestry Division to include Lampeter College, and that was not his (Mr. Roberts') Resolution at all.

\*MR. SPEAKER: The hon. Member for the Oswestry Division gave as his reason for supporting the Motion for the rejection of the scheme the exclusion of Lampeter College; therefore I can hardly stop the hon. Member from referring to that point.

MR. KENYON said, that what he had been going to say was that a particular clause was inserted in the Charter for the express purpose of including in the future any constituent Colleges which might commend themselves to Her Majesty for inclusion. That disposed of the argument of the last speaker. He could only say that the hon. Member's policy was of a dog-in-the-manger kind. Wales wanted this Charter, and, what was more, she intended to have it. He would appeal to his English friends not to resist the Welshmen on this occasion. A deputation, of which he had been a member, had waited on the late Government, and their application was favourably received, but nothing came of it. Well, he was an educationalist first and a politician afterwards, and if he could get a Charter from a Liberal Government he would take it, while regretting that a Conservative Government had not seen fit to accord it.

\*MR. S. EVANS (Glamorgan, Mid) said, he wished to give a few facts in answer to the Resolution of his hon. and learned Friend. He had no time to discuss whether it was better to have in Wales a Teaching University than one which consisted simply of an Examining Board; but his hon. Friend had contended that poor lads, students for the ministry, and elementary teachers would not be able to avail themselves of this University education. The facts concerning the three constituent Colleges entirely

disproved that argument. Notwithstanding what had been said by the hon. Member for the Oswestry Division, there had been a large number of students educated at the three constituent Colleges—nearly 3,000—though two of the Colleges were of recent date, only one of them having been in existence any length of time—that was to say, about 20 years. With regard to Aberystwith College, 1,214 students in all had passed through, of whom 413 consisted of the sons of the commercial class—not of the wealthy commercial class, but of the class of shopkeepers and small tradesmen; of the farming class there were 188, and of the class of labourers 184. From these classes alone 785 out of the 1,214 had been educated there. At Cardiff College the total number of students had been 940. Of these, 299 had come from the tradesman class, 84 were the sons of farmers, and 285 were the sons of labourers, and this would give 668 from these classes out of the 940. In the case of Bangor College, the total number of students had been 564; 183 students had come from the tradesmen classes, 78 had come from the farming class, and 143 came from the labouring class. That was to say, there were 404 of these classes out of a total of 564. Lumping the three Colleges together, they found that out of a total of 2,718 students 1,857, or more than two-thirds of the whole, had come from the lowest walks of life. Then with reference to the case of elementary teachers. It was a fact that many of these had been educated in the three constituent Colleges. The number would be greater in the future than it had been in the past, for the Carnarvon (Church) School had removed to Bangor to avail itself of that College. Until lately schoolmasters and mistresses could only get training at Bangor (Normal) School, Carnarvon (Church), Carmarthen (Church), and Swansea (Girls), but arrangements had been made whereby Aberystwith would be paid by the Education Department to educate 120 elementary teachers, and Cardiff would be paid to educate 150. As to the objection that Nonconformist ministers would not be able to attend the University Colleges, it was the fact that nearly all the Nonconformist Colleges had already removed to the places at

*Mr. Kenyon*

which the University Colleges were situate. The Pontypool Baptist College had removed to Cardiff, the Haverfordwest College to Aberystwith, the Llangollen College to Bangor, the Brecon Congregational College sent art and science students to Cardiff, the Bala College had removed to Bangor, the Bala Methodist College sent students for everything save Theology to Aberystwith and Bangor, the Trevecca Methodist College would soon adopt a similar course, and Lampeter Church College had its own degrees. Thus nearly all candidates for the ministry would reside and qualify in the University Colleges. With regard to the feeling in Wales on this question, there would be no better test than the attitude of the Welsh Members. So far as he was aware, the hon. Member who moved the Resolution had only one Member to support him on the Ministerial side of the House out of the total number sent to represent the Principality. The Charter had been considered by 12 out of 16 Welsh County Councils, and only two had objected to it, and in one of those cases the influence of the hon. Member who moved the Resolution was observable. Therefore, Wales was not far from unanimous on the question. If the Charter were not obtained now, it might be delayed for years, for the Departmental Committee suggested by his hon. and learned Friend would probably take a long time to inquire and Report. Even if a Departmental Committee were appointed forthwith they all knew that a large amount of time would be consumed by such an investigation.

**MR. BRYN ROBERTS** : About three months.

\***MR. S. EVANS** said, that was not our experience in connection with other Departmental Committees. Besides, there was no knowing what Government might be in Office when the Inquiry terminated, and whether it would be in favour of a University for Wales. He hoped, therefore, that all who desired to see higher education extended in the Principality would vote in support of the Charter.

**THE VICE PRESIDENT OF THE COUNCIL** (**MR. ACLAND**, York, W.R., Rotherham) said, that as so much of the subject had been so fully dealt with, he would confine himself to one or two points, which he thought he must allude

to on behalf of the Government. This subject had now been before the Principality for a number of years. As the hon. Member for the Denbigh Boroughs had said, a deputation of all Parties had waited upon the late Lord President of the Council to invite his attention to the matter. The noble Lord had received them in a friendly spirit, but had said that the right course to pursue was to go back and draw up a Charter for presentation. Well, the University Colleges and those persons interested in working out intermediate education in Wales had been engaged for many months in considering the matter, and they had now presented their Charter, which had been considered by the Committee of the Privy Council. The hon. Member for the Oswestry Division had complained that he (**Mr. Acland**) had not laid on the Table the Report which had been furnished by a gentleman who was an impartial man in this matter, and a very eminent Welshman. He would not go into the matter, but would merely point out that all the Petitions presented in this matter were laid before an impartial Committee of the Privy Council, composed of the Lord President, Sir H. James, Lord Knutsford, Lord Playfair, and himself. He thought that was a guarantee that the matter had not been treated in any partisan spirit. Those who had had the advantage of hearing the remarks of Lord Knutsford in another place would know that he was with them. The Principal of Lampeter asked to be heard before that Committee by counsel, but that could not be permitted, as it was contrary to the usual procedure. All Petitions were considered in the same way by the Committee, and the Committee formed their own judgment upon them. He could assure the hon. Member for Oswestry (**Mr. S. Leighton**) that the whole of the case of Lampeter College was before them. The object of the scheme was to draw the poorer students to the University Colleges by means of the Act of the late Government for intermediate education, and he was convinced that the Scotch system was the best for that purpose, and that the people of Wales would find that it would meet all their wants. There might still be a few poor students who would stay away from the University, yet by means of bursaries and

exhibitions almost all private students who were able to take University degrees would be brought up. As to the arrangement proposed being a measure of protection, and all the work of the Conference being for the benefit of these Colleges, he thought that when they considered who had been gathered together at the Conference, and that the Governors of the Colleges were men of all Parties and creeds, and that all had tried to foster these Colleges, and had joined to obtain this Charter, the idea of protecting special interests might be dropped. With regard to Lampeter College, it was governed in a very limited manner, and was primarily a Theological College, the Principal being selected by the Bishop of St. David's from a selected list. No Government would admit that College to the position of a constituent College of the University while it was managed as at present. If it altered its constitution, then there were words in the Charter which would permit a supplemental Charter to be granted to meet the case. The Government had taken the wisest and the only possible course. If they had attempted to set up an Examining University, rivalling London, and exciting the jealousy of Victoria University, and other such Institutions, the scheme would have been doomed to failure. The Government had no doubt that they were meeting the wishes of Wales and of a large number of persons on both sides of the House. He only hoped that the House would sympathise with that zeal for education which distinguished every part of the Principality, and which the late Government had done so much to forward by their admirable Intermediate Education Act. All the present Government were doing was to develop that admirable Intermediate Education Act of the late Government, and he hoped the House would be unanimous in supporting them.

\*MR. TALBOT (Oxford University) said, he fully recognised the conciliatory tone of the speech of the right hon. Gentleman, but he had hoped that the Government would have availed themselves of the opportunity of broadening the basis of the Welsh University. He could not agree that the line advocated by the hon. Member for the Oswestry Division (Mr. S. Leighton) was a dog-in-the-manger policy. It was not a policy to exclude anybody,

*Mr. Acland*

but to include as many as possible. The object now in view was to enlarge and liberalise education in Wales, and he thought the Government should have availed themselves of this Charter for the purpose. He trusted that in future higher education would be put on such a footing that no Educational Institution giving efficient education and affording protection to freedom of conscience would be excluded from the University. If that were the case, those who had taken part in the Debate to-night, and had urged the widening of the basis of the Welsh University, would not have spoken in vain.

Question put, and negatived.

#### MESSAGE FROM THE LORDS.

That they have agreed to,—

Irish Education Act (1892) Amendment (No. 2) Bill,

Public Works Loans (No. 2) Bill,

Canal Rates, Tolls, and Charges Provisional Order [Leeds and Liverpool Canal] Bill,

Canal Rates, Tolls, and Charges Provisional Order [Navigation of the Rivers Aire and Calder] Bill,

Canal Tolls and Charges Provisional Order [Grand Junction Canal] Bill,

Canal Tolls and Charges Provisional Order [Warwick and Birmingham Canal] Bill, without Amendment.

Industrial and Provident Societies Bill, with Amendments.

#### HABEAS CORPUS (IRELAND) BILL.

On Motion of Mr. Clancy, Bill to amend the Law relating to the Writ of Habeas Corpus in Ireland, ordered to be brought in by Mr. Clancy and Colonel Nolan.

Bill presented, and read first time. [Bill 452.]

#### LIGHT RAILWAYS (IRELAND) [GRANT].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of an additional annual sum, not exceeding £5,000, for the purposes of "The Light Railways (Ireland) Act, 1889," and the Acts amending the same, and the payment, out of the Consolidated Fund of the United Kingdom, of any sums lent by the National Debt Commissioners, under the provisions of "The Public Accounts and Charges Act, 1891," for the commutation of the said additional annual sum.—(*Sir J. T. Hibbert.*)

Resolution to be reported To-morrow.

House adjourned at half after  
One o'clock.



HOUSE OF COMMONS,

*Wednesday, 30th August 1893.*

ORDERS OF THE DAY.

GOVERNMENT OF IRELAND BILL.

(No. 448.)

THIRD READING.

Order for Third Reading read, and discharged.

Bill re-committed in respect of an Amendment to Clauses 26 and 27 respectively.

Bill considered in Committee, and reported; Bill, as amended, considered (Queen's Consent signified).

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): I am very mindful of the indulgence which I have already received from the House upon the principal stages of this Bill; and it would be unbecoming in me personally, with the memory that I cherish of that indulgence, to re-enter at large upon the general field of argument which, in our opinion, justifies and requires the passing of the Bill. I shall altogether confine myself to reference to points which have arisen since the last occasion, that of the Second Reading, when I had the honour of addressing the House on the general question, now four or five months ago. There are two occurrences which I think it right to notice, as they have arisen since that period, though they appertain to the general arguments of the Bill. One of these touches what we have always regarded as a very important argument, the argument derived from experience—from the experience of a very large number of European countries, from the experience of our own race in America, and from our own experience in reference to the Colonial Empire. But since that time, and I think that during that Debate, observations have been made tending to impeach that remarkable uniformity of result which is yielded by this wide field of observation in connection with a case now attracting some

attention—but not more than it deserves—I mean the case of Sweden and Norway. It has, indeed, been contended by the opponents of the Bill that none of these cases are, strictly speaking, analogous to the case of Great Britain and Ireland. That admission must be freely made if analogy requires an exact correspondence of all particulars. There can be no such exact correspondence of particulars in a comparison between the transactions of one nation with the transactions of another. But there is one grand correspondence—fundamental and radical—determining in substance and in effect the whole character of the transactions and their applicability to our own case—that every one of those instances, whether I take Austria and Hungary, Sweden and Norway, the United States, or the United Kingdom and our Colonies, all are founded on the one fundamental and radical principle—that of division between local and general and Imperial affairs. It is that principle which, in our opinion, constitutes the essence of the present transaction, and it is the extraordinary success with which that principle has been applied in solving many problems, and in mitigating and reducing other problems, which makes it so grave and so important a lesson with respect to the present discussion. But some have observed that a great crisis has arisen in one of these cases—the important case of Sweden and Norway. Nor is it for a moment to be denied that the political affairs of those two interesting countries, so nearly allied in blood to ourselves, are at present in a state of acute tension, so much so that even the words “severance of the Union” have been in the mouths of men, not, perhaps, the wisest, but still in the mouths of men who are citizens of those countries. For my part, I venture to say that it would require a very great stock of folly on the one side in the controversy, and, perhaps, on both sides, to dissolve that Union. But for the purpose of adverse argument I will refer to the very worst supposition, and will assume that that Union is to be dissolved—which I do not believe. Supposing it were dissolved. How would the case stand? Would the argument for Unions of this kind, based on a division between local and Imperial affairs, thereby be destroyed? No; it

would stand thus : That whereas at the close of a great war Sweden and Norway were actually in arms against one another, and were ready to fight out the battle in the field, by means of that Union there have been established 80 years of unbroken harmony between them. Those 80 years—come what may—represent a great good achieved for humanity, and for Europe, as well as for the two countries themselves. I might say more than that. Much progress has been made in many respects towards harmony, but I will assume nothing. I will only say that the realisation of those 80 years of peace, unbroken in any single case, except by political discussions, contrast favourably with the 93 years which have passed since the Act of Union between Great Britain and Ireland. But I must refer to another argument, which we, and perhaps I myself, have been especially in the habit of using. I will not say that it is as weighty as the argument from universal experience, but I confess that I think it an argument of some weight, and entitled to some consideration. That is the argument derived from the authority of the civilised world, as exhibited in its permanent literature. I do not speak of journalism, which represents the sentiment of the moment, and which in one country very often represents not the genuine judgment on the question discussed, but a judgment formed in reference to other questions and other interests. I have affirmed that it has been my object, so far as I could pursue it, to ascertain what is the sentiment of European and American literature on these subjects, and I have never found—though, of course, I do not assert it to be universal—a single case in which a European writer, speaking from some point of view that gave him a title to consideration, has approved of the conduct of England to Ireland, or has recognised it otherwise than as a great stain upon the honour of this country. There are one or two gentlemen who are bold enough to contest that proposition, and to produce five names in asserted contradiction. Not one of those citations touch the point. I have never said that all Continental and American writers approved of the Home Rule Bill. If they did, I should attach but a very secondary weight to their judgment ; but I think that on particular measures the

judgment of foreigners, when we get into particulars, cannot be of any great weight or value. But there was not one of those five persons who contradicted my assertion, or who had any apology to offer for the grievous, the shameful history which we have to deplore during almost the whole of our connection with Ireland. [*Cries of "Oh!"*] The right hon. Member for Sleaford touched upon the subject, and was severe upon me for the superficiality of my examination compared with the careful range with which he had examined the question and the results he had obtained. Out of those five names there is not one which contradicts my assertion with regard to the effect of the Irish connection on English honour and character. But there is one among them which is so eminent that I must go into it a little further than the right hon. Gentleman did, and that is the name of Cavour, who travelled and spent some time in this country. His judgment was of the highest order ; his insight into politics, as we know from subsequent results, was a peculiar and extraordinary gift, one of the very few who, among statesmen, attained the very highest of their qualities—the quality and the character of the nation-maker. Cavour, said the right hon. Gentleman, had approved the union of England with Ireland ; but Cavour wrote before the true history of that Union was known. It is true that Cavour did give an approval, but a very limited and qualified approval, of the Union of England with Ireland.

MR. CHAPLIN (Lincolnshire, Sleaford) : No, no.

MR. W. E. GLADSTONE : The right hon. Gentleman challenges my statement. In that case I must refer to what Cavour said. He said—

“In civil respects and in economic respects, the Union was good ; but as regarded the religion of the people of Ireland, it left it in a worse position than before.”

The religion of the people of Ireland is the heart and soul and centre of their whole life. That I call a qualified and limited approval. But that is not the point. First of all, did Cavour think that the relations between England and Ireland had been honourable to England ? I will read a few lines from a translation of his book on the subject. He says this of Ireland in 1792—

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"Ireland was destined to become, after a long career of misery, an inexhaustible source of troubles and anxieties to its oppressors in order, perhaps, to give to the world a great lesson, and to teach to the most powerful nations that their crimes and their errors recoil sooner or later on those who commit them."

That is the judgment of Cavour upon the conduct of England to Ireland. Of that we hear nothing from the right hon. Gentleman.

MR. CHAPLIN: There are half-a-dozen passages quite the opposite.

MR. W. E. GLADSTONE: Then Cavour contradicts himself. That is an assertion of the right hon. Gentleman which I will leave to stand for itself. But what was material was this: We were told that Cavour approved of the Union; and I have shown that it was a qualified approval. But did he approve of the Union as if it were a finished work, to be the basis of the relations between England and Ireland? No doubt Cavour looked at the Union as solving a great problem with respect to the supremacy and the union of the two countries; but was he of opinion that it left nothing to be done in the way of Constitutional and organic change? No, Sir. Here is a passage which the right hon. Gentleman will find on pages 109-10 of the work which I have quoted. This he wrote at a period when Sir Robert Peel's Government was in Office. He wrote at the period when the work of local self-government upon the principle of division of powers had just been completed for Canada, and he wrote in these words—he did not wish the repeal of the Union, he disapproved of it; but referring to the Peel Government, of which he had favourable opinions, he said—

"It will then pursue the work of regeneration. In support of what I have said, I will only cite the moderate, liberal, generous conduct of the Cabinet of Sir Robert Peel towards Canada. What it did for that distant Colony it will do for Ireland."

It will be perceived that that great statesman took in principle, as nearly as may be, the very ground we take at this moment, of preserving the supremacy of Parliament and the unity of the Empire, but of granting that self-government—undoubtedly under limitations—in principle, which had been granted to Canada at the time when he wrote. I think that, as regards Count Cavour, I have pretty well made good more than the proposi-

tions which, on various occasions, I have said before the House. As I have already stated, my duty on this occasion, I think, will be to deal with what, according to a phrase now generally used and accepted, may be described as "the situation"—the actual state of this Bill and the circumstances which have taken place since we were discussing the principle on the Second Reading. Undoubtedly, during that interval between the Second Reading and the present stage we have accumulated a mountainous mass of Debate. I wish I could entertain the opinion that that mass of Debate will greatly add—taken as a whole—to the fame of the House of Commons as a deliberative Assembly. I am afraid the result will be somewhat the reverse, and that the best that can be said of it is that it has been distinguished by a very great and singular development of small points. That the future will decide. But we have to consider results; and the results, I apprehend, are these: As the reward of the 79 days which have preceded this Debate, we have secured these two things: the passing of the Bill through the House of Commons, and the leaving available, if we have the courage to use it, a residue of the Session which may be devoted to the much-needed and important purposes of British legislation. How have these results been attained? They have been attained by two instruments; one of them the use of the time-closure—a system of dealing with legislative measures in respect of which I will only say that I regard it as an evil. [*Opposition cheers.*] I am glad that some of its authors agree with me, and recognise it as an evil, and an evil which ought only to be tolerated for the avoidance of some much greater evil. The other instruments by which these results have been attained are the unbounded sacrifices which Members of this House—the special duty, of course, of Members of the majority—have made; they have given up their time—I hope not their health and strength—their ease, their convenience, their usual habits, for the purpose of a bold and inexhaustible perseverance in the discharge of their public duties; and while, naturally, I admire this self-sacrifice upon this side of the House, especially, where it has been united, in my humble conviction, with the purposes of political wisdom

and sound policy, I am glad to have the opportunity of paying at least this compliment to gentlemen opposite: that they, too, have exhibited a very large portion of old English pluck and fortitude, worthy—if they will permit me to say—of being devoted to a better cause. These are the means by which these ends have apparently—and I hope I may now with confidence anticipate—been attained. I will ask gentlemen opposite—and I think I may trust to their kindness—to hear me with patience, and I think that before I close they will find I have tried to do them justice. We have not attained these important results—namely, the passing of the Irish Bill, now immediately imminent, and of reserving at least some portion of the year free for British legislation—without paying a price for them. We have paid a very heavy price. This has been a lengthened Debate, extending beyond all previous precedent, beyond all possible expectation, and with regard to which the right hon. Gentleman the Leader of the Opposition and his coadjutor, the late Chancellor of the Exchequer, have attempted, with infinite ingenuity and with a great deal, I must say, of grace and undeserved kindness, to trace it to my individual responsibility. I think, however, in all those declarations there was a strong strain of irony; at any rate, I shall not follow the right hon. Gentleman into that discussion, though I think I could do it with some effect. I think he will agree with me that it would be rather too small for the present occasion. But I will take the mass of the discussion, and it is certainly an extraordinary fact that if we divide on Friday night, as appears to be the arrangement made by consent in the House, we shall have expended 82 days on the discussion of this Bill. Those 82 days are entirely in excess of anything that has ever before happened. It may, perhaps, entertain, or even instruct the House, if I mention in what way it was that in former times great Irish crises were wont to be disposed of by the British Parliament. In 1782 there was effected a political, but a peaceful, revolution in Ireland. Ireland became, as to legislation, a free country. As to the Executive Government, it is true that it did not become equally free, for the responsibility of Executive Governments to Legislatures had not then been esta-

lished. That is a great political discovery, and a result of the 19th century. But there cannot be the smallest doubt that, had that Parliament of Ireland been continued, and had not the disturbances that followed the recall of Lord Fitzwilliam intervened—I say, had that Parliament continued to the present day, in a peaceful course of things, the responsibility of Irish Ministers to that Parliament would have crowned the work of Grattan. However, when that legislative revolution took place in 1782, the Debates upon it were confined to April 9 and May 17—not to the period intervening between those two dates, but to those two days themselves. In 1783, when the work was completed by a formal declaration of the sole authority of the Irish Parliament to make laws for Ireland, one day sufficed for the great consummation. In 1799 and in 1800, when the work of the Union was accomplished, when this Legislature of Ireland was swallowed up and annihilated, and the whole institutions of that country placed upon a footing essentially different—a revolution greater by far than any that is now contemplated or proposed—that revolution, where the business was not to construct, but to pull to pieces, was accomplished in seven days in 1799 and six days in 1800. That was the way in which Irish questions were disposed of in former times. But how have other questions been disposed of by us? As far as I know, the three longest periods given by this House to any Bill were, in 1887, 42 days, to what we justly term the Coercion Bill; in 1881, 46 days to the Irish Land Bill; and in 1831, 47 days—only one day beyond the Land Bill—to the great Reform Bill of Lord Grey, which went to the very root and foundation of this country, and for the first time, at any rate, in modern history established the great principle that no man should sit in this House without having a real constituency. That was a measure so great that it not only effected at the moment a vast change, and roused from their sleeping places all the dark prophecies and sinister inventions of those who opposed it, just like the present Bill, but also supplied the basis of subsequent Reform Bills in such a way that they had no new principle to introduce, and are but mere sequels and developments of the great measure



introduced in the past, without a revolution out of doors, but only just without a revolution by the Government of that day. I know there are those who say that that was not such a great Constitutional measure as the one now proposed. I can only say that I am unable to enter into a discussion of that question with those gentlemen, for I am unable to appreciate their mode of reading history, their form of political philosophy, and their estimate of Constitutional changes. That is the mass of the time that has been taken. But this question of time taken is one of extreme importance. Little has, as yet, been said upon it. That little has been general. But it will have to be pursued into details and particulars; for I hold it to be certain that the time of the House of Commons is the treasure of the people. See what it is that this Bill has cost them. Having stated roughly, and generally, the amount of time, I am obliged to go forward and ask the question—By whom was that time taken? I shall come afterwards to the justification for taking it, but I am now speaking only of the past. The case stands thus. I will look first at the stage in the Committee and on the Report—the stage which relates to Clauses 3 and 4. On these two clauses in Committee, and on Report, the Amendments given notice of were 326. But the reaper, in the shape of the authority in the Chair, put in his sickle, and mowed down prematurely a certain number of the Amendments, so that the actual number moved on two clauses came to 141. The time taken on those two clauses, almost entirely in dealing with these Amendments, amounted to 110 hours. That tolerably answers my question—By whom was the time taken? because it certainly was not from the friends of the Bill that the Amendments proceeded. What was the quality of those Amendments, and what was their purpose? The purpose of a number of them undoubtedly was to restrict the powers of the Irish Parliament, to undo piecemeal the work of devolution which had been performed in the gross on the main stages of the Bill; and those Amendments upon two clauses only, entirely apart from other Amendments upon other clauses, in restraint of the boon to be conferred on Ireland, were no less than 88. That is an unexampled quantity. There may

have been a reason for it. I will come to that by and-by, but it was an unexampled proceeding, which I think justifies the statement we have made, that, whether rightly or wrongly, in their reasons and aims, the opposition to this Bill was different from all former oppositions. I, at least, from all previous experience, am aware of no case in which there has been, on a great measure, a deliberate and persistent attempt of this nature in Committee on the Bill partly to destroy the work by the mass and volume of Amendments, partly to undo and take back in morsels the boon that had already, in principle, been conferred. I must resort to another method of answering this question—By whom has the time been spent? I am not going to endeavour to lay any peculiar responsibility upon any individual in respect to it, but I will take the total number of speeches in Committee. I cannot say that the account I am going to give will be found literally and in every point unassailable. It is not quite like an ordinary arithmetical process, but in the main the figures are correct. It has been taken with every possible care from *The Times*, which we have supposed to be the best repository for such a purpose. With the exception of a certain number of speeches, which could hardly be put down either as for or against the Bill—not amounting to 5 per cent. of the whole, and therefore hardly affecting the general result—the speeches made for the Bill in Committee were 459—an awful roll. There were many, no doubt, made by the Government, but most of them made by the Government were owing to the compulsion—the gentle compulsion, the Parliamentary compulsion—of the Opposition. What were the speeches against the Bill? The number was 938. [*Opposition cheers.*] Hon. Gentlemen opposite cheer that statement. They are quite consistent. I will give them a little further material of the same kind. Besides the number of speeches, we have to look at the length of the speeches, because the object is to ascertain where lies the consumption of time—who were responsible for it, in fact—and how far the pleas which, I admit, were urged on its behalf are sufficient. The hours taken by the 459 speeches for the Bill were 57½, but the hours taken by the 938 speeches—twice the number

against the Bill—were 152 $\frac{3}{4}$ , so that while the number of the Opposition speeches were two to one compared with those for the Bill, the length of the Opposition speeches was not far from three to one. [*Opposition cheers.*] I am glad we are agreed as to the fact. This peculiar mode of proceeding, I think, justifies us in the belief that the intention was, if possible, to prevent our passing this Bill through the House of Commons. But my right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) said that no such intention had ever been entertained. Fully believing the assertion, as far as concerns himself and those for whom he in this case speaks, I modify my statement to this extent: that I think it was intended, in the first place, to drive and compel us to the use of the Closure—to leave us no weapon except that most invidious weapon, no weapon by which we could attain the main object, or fulfil the commission which we had received from the country at the time of the General Election. I think also what he said was perfectly consistent with the supposition which I also entertained—and, indeed, I think it amounted to positive assertion on his part—that what he looked to was to leave us, if we liked, the power of passing the Irish Bill through the House of Commons by an unbroken devotion of our time and energies from now to Christmas; but the great object was to prevent our possessing any free residue of the year for British legislation. I hope it will be felt in the House—and I am sure it will be perceived in the country—that a great part of the battle in which we have been engaged—an important and a vital part of it—has been to defeat the great purpose of the Opposition, apparently specially entertained in what is called the Liberal Unionist quarter, and to vindicate, on behalf of the people of this country, and of their many legislative wants, the claim to some free time at least for the purpose of British measures. I know it is said on the other side that this is a most complex Bill, a Bill containing 16 Bills, according to one gentleman; a Bill containing a Bill in every clause, according to another gentleman; a Bill containing 100 Bills, according to a third speaker; and, according to a fourth speaker, possessing a more powerful and strong-winged imagination, a Bill con-

taining 1,000 Bills. This complexity, to a certain extent, we admit, but only to a certain extent. Undoubtedly, the nearness of Ireland to England, the close intertexture of Institutions and Organisations which had been produced during the 19th century, did render necessary a great number of secondary and subsidiary—but important—provisions which it was essential for us to introduce into the Bill. Had this Bill only consumed the time which was consumed say even by the great Reform Bill of 1831, I think we should have no cause for wonder or for special remark. But the complexity of the Bill does not account for the time consumed. What does account for it is the complexity of the Amendments. It is not that the complexity of the Bill was unbounded, but it is this: that the largely greater part, the far largely greater part, of the time we have spent upon the Bill was spent not upon what is in the Bill at all, but upon what it was endeavoured to put into it. We are perfectly aware of the quarter from which these endeavours came. It was a natural and, from their point of view, a legitimate endeavour. It is alleged by the Opposition, and I think it has been confidently stated by Lord Salisbury in some letter or emission of some kind, that the main points of the Bill have not been discussed. Suppose, for a moment, that that allegation was true, on whom falls the responsibility? The Government were not responsible for it. I have shown that 930 speeches were made in 157 $\frac{1}{4}$  hours by the Opposition, or by the two Oppositions. Was it possible, in 930 speeches occupying nearly 158 hours, to get at the main provisions of the Bill?

An hon. MEMBER here made an observation which was inaudible in the Reporters' Gallery.

MR. W. E. GLADSTONE: I am very sorry that I did not catch what the hon. Member said, because I am unwilling to lose any valuable suggestions that may be made from the other side. But is it true that the main provisions of this Bill have not been discussed? What are the provisions of the Bill that have been discussed, and that at an enormous length? I will shortly recite them. They are all contained, I admit, in 11 clauses, and I also admit that 26 clauses,

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besides the Schedules, have not been discussed. I think, however, that that is rather a better proportion than that which was discussed in the case of the Coercion Bill of 1886. You alleged on that occasion that the clauses that were discussed contained the main body of the Bill. That is what I contend with regard to this Bill, and what I think I can prove. What were the points that were all of them largely discussed—not one of them except in a considerable number of hours? First, the supremacy; secondly, the great devolution of legislative powers and responsibilities from the Imperial upon the Irish Parliament; thirdly, the constitution of that Parliament in two Houses; fourthly, the disabilities and limitations which we thought it wise to impose upon the Irish Parliament; fifthly, the position, responsibilities, and duties of the Executive; sixthly, the retention of the Irish Members in Parliament; seventhly, the Financial Clauses, with respect to which, although the very important particulars are only temporary, yet every principle for the regulation of them is strictly defined and laid down in the Bill; and, eighthly, what is important, but less important in principle than the other seven, the great principle of adjustment with the Constabulary and Civil Service in Ireland. I affirm that these eight heads contain a Home Rule Bill. You may tell me that there was much else that was important in the principle adopted by gentlemen, not perhaps exclusively in this Bill, which might be elevated to supreme rank. But, whatever individual fancy may tend to exaggerate, my affirmation is—and I submit that affirmation to the country—that the great cardinal principles and provisions of the Home Rule Bill are contained, and are contained throughout, in the heads which I have now enumerated. The justification then, in my opinion, is not to be found in the observation that the Bill has not been discussed. Neither can it be found in the allegation that the Bill is so complex. But I must say one word more of that complexity, and it is this: Why is the Bill complex? Because of its moderation. You have before you a vast and insoluble, or as yet unsolved, Irish problem. There are more ways than one of solving that problem. I think I have found in the works

of Lord Macaulay—who, in a most eloquent and powerful speech, opposed the repeal of the Union in 1834—a distinct admission that, rather than continue in permanent and vital discord with the mass of the Irish nation, the separation of the two countries would be a less intolerable evil. One of the arguments quoted against me by the hon. Member for Armagh (Colonel Saunderson), disapproving of the Home Rule Bill, was that of an extremely clever French writer. He did not disapprove of the Home Rule Bill. And why? Because he said the only rational plan was separation. But there is another measure very different from separation, and much more within legal and Constitutional purview, and that is the repeal of the Union; and it has to be borne in mind that the advocates of Irish nationalism have never to this hour, as far as my knowledge goes, admitted the moral authority of the Act of Union. If that which I do not expect were to come about—namely, a prolonged, bitter, obstinate resistance to the granting of this restricted claim, the question of repeal might arise in most gigantic form, and might become the ground of the National question—not certainly in my hands—not in the hands of men of my age, nor could even men 30 or 40 years younger face that question. But my capabilities are one thing, and the possibilities of the political world are another. And I state confidently to gentlemen who treat this complexity as if it were some capital offence of ours, the complexity of our Bill, as I admit it in certain limits, is due to the fact of Irish nationalism adopting the counsels of moderation, adopting them in principle, and, I must say in justice to the Irish Members, sustaining them in detail throughout the whole course of this interminable discussion. Nay, Sir, these principles, in taking resort to this limited form of legislation, have introduced a complexity which I think it is rather hard to turn against them and to turn against their country for the purpose of opposition. Is there to be found, either in the complexity of the measure or in the incapacity of the House of Commons to discuss all these clauses, a ground broad enough to form a justification for the very novel and remarkable description of opposition that has been pursued? I have deliberately

refrained, on the score of time, from analysing the character of that opposition—from going into detail. I have given you nothing but summaries and the totals; but the statement would be more remarkable, and would be strengthened and corroborated in all its parts, if I were to pursue the subject in all its details, which I hope on the part of other speakers will be brought fully to the notice of the country. But now I come to what I think is the main justification of the Opposition in the course of this Debate. I come to the nature of the pleas which they have urged against our measure. I will state them very shortly, and I think that gentlemen will recognise that I reproduce them faithfully. I do not mean that every speaker, or even every prominent speaker, has used every one of them. I mean they have been used by these prominent speakers, and that they might all of them be collected from the speeches of the most prominent Members. At any rate, they are, in my judgment, the only pleas of those made by the Opposition which afford *prima facie*, and, from their point of view, a justification for the peculiar and unprecedented mode which they have adopted, and which now, for the first time, has been introduced into the proceedings of Parliament. Although I admit there has been obstruction before, there has never before been obstruction by any Party prevailing from the First Reading down to the Second and Third of a character which is admitted to be entirely without example. Now, what have been the pleas and allegations against our Bill? If gentlemen can command their nervous systems, let them exercise that command for a moment over their alarm and horror at what I am about to read. I am going to give an extremely brief recital of what, according to our opponents, will be the certain and probably immediate results of passing the Home Rule Bill. It will separate the islands; it will destroy the Constitution; it will break up the Empire; it will, within the House of Commons, annihilate financial control—and I apprehend that financial control in the House of Commons over the Expenditure and taxation of the country is of itself a large part of the life of the Constitution; it will make Irish delegation supreme in British affairs within

these walls. Then there is the loyal minority. What is to be the result to them? Virtual slavery in person, property, and religion; and, lastly—this is the seventh of this goodly list of pleas—whereas we have been wickedly inveigling Parliament into this dreadful scheme, by representing to them that if they would only pass it a huge load would thereby be lifted off the shoulders of every man by the reduction of Parliamentary work, and making it easier for Parliament to discharge its duties to the country—we are met with the allegation that besides breaking up the Empire and ruining the Constitution, and all the rest, Parliamentary controversy within these walls will become worse and fiercer than before, and will become quite intolerable. It is my duty to admit that, if those seven pleas be sound and true, it must go hard with Home Rule. Let gentlemen make of these allegations what they like. If they can make them good, the result will not be altogether of a satisfactory character for themselves. Suppose for a moment that they are true. I believe them to be enormous, monstrous, hideous falsehoods; but let it be understood when I say falsehoods, I do not say a word against the sincerity of any gentleman. I am bound absolutely to believe, and I do absolutely believe, that each believed what he said. If these seven pleas be true, if they be just, would they not have a terrible recoil upon ourselves? Are we, then, bound to admit that, after 700 years of the British connection with Ireland—after England, during the whole of that time, has occupied a dominant and Ireland such a subordinate position, after all the responsibilities of superiority resting upon us, the result of our treatment of Ireland is this—that we have brought her to a state in which she cannot undertake, without danger and ruin, the very responsibilities which in every other country have been found to be within the capacity of the people and to be fraught with the richest benefits to them. I do not envy those who feel that they have to sustain the force of the recoil. With regard to the pleas themselves, it is not necessary for me to discuss them. It would be contrary to my pledge. It would be quite unnecessary and quite intolerable. But I will venture to treat them within the compass of a single sentence. These pleas rest, like other pleas gene-



rally, on either assertion or denial—on the affirmative or on the negative. In that well-known work of Lady Mary Stuart Wortley Montagu she describes the growing prevalence of the spirit of scepticism in this country, and she says—

“The fashion now is to take the word ‘not’ out of the Commandments, and to put it into the Creed.”

This indictment will suit exactly the case of the seven pleas. Where the seven pleas deny, take the word “not” out; where the seven pleas affirm, put the word “not” in, and you will arrive at the sound and satisfactory conclusion. I close with a very few words. In my opinion, and I think it will be the general opinion of those who in different countries have examined the question, the history of Ireland has implanted an inveterate stain, by no means as yet fully washed out, upon the honour and the escutcheon of England. At any rate, I will put the case as between England and Ireland on this footing, which I think can hardly be disputed. The state of these relations, the estrangement of the vast majority from the present Constitution, the exaggerated, and, as I believe, injudicious, but still, as I am bound to admit, sincere, apprehensions for what are called the loyal minority—the whole facts of the case show that the state of these relations between England and Ireland, even taking it at the present day, when I joyfully admit that by good legislation from time to time much has been done by way of correction, reform, and real conciliation—yet still the condition of these relations is far from being to the honour either of the splendid political genius of England or of her warm and generous heart. There is a great necessity, and I know not in what quarter, except the quarter which we have endeavoured to probe, the materials for meeting it are to be found. We, Sir, repel those charges. We deny that the brand of incapacity has been laid by the Almighty on a particular and noted branch of our race, when every other branch of that race has displayed in the same subject-matter a capacity and has attained a success which is an example to the world. We deny that that brand has been placed on the Irish race. We have faith in rational liberty, and we have faith in its efficacy as an instrument

of national education. We believe that experience, widespread over a vast field which has been traversed at every point, encourages us in our work; and, finally, we feel that the passing of this great measure through the House of Commons, after 80 and more days’ Debate, does, will, and must constitute the greatest among all the steps that have hitherto been achieved towards its certain attainment and its early triumph.

Motion made, and Question proposed, “That the Bill be now read the third time.”—(*Mr. W. E. Gladstone.*)

MR. COURTNEY (Cornwall, Bodmin): My right hon. Friend the Leader of the Government, in the course of a speech which well deserved the plaudits of the House, has revived some of the old controversies, and I do not propose to follow the right hon. Gentleman into the details of those matters. I must deny the exactness of the inferences which the right hon. Gentleman drew from the case of foreign countries, the Colonies, and the United States, and the relevance of them to the question under discussion. There is not a single Member in the House who is not ready to allow that, in certain circumstances and in certain relations, the establishment of a federation of States might be the most convenient system of government. Nor will any one question the propriety of the Federal system in the United States; no one will question the propriety of the Federal Institutions of Switzerland; none are disposed to question the policy of setting up free Representative Institutions in our several Colonies; but each of those cases has to be judged on its merits with respect to the circumstances of the case, and the experience of all together furnish but little light on the problem what one should do with respect to Ireland. The situation as regards Sweden and Norway has no bearing whatever on the question, and the fact that the relations between the two Scandinavian Kingdoms has become one of extreme tension is no argument against Home Rule any more than it is an argument in favour of it. My right hon. Friend has revived again the question as to the opinion of the “civilised world” upon the problem before us. What I understood the right hon. Gentleman to have said and written on former occasions is very different from

the proposition which he now puts forth. I understood the right hon. Gentleman in former times to have declared that the opinion of the civilised world was in favour of his policy of Home Rule. All that he now asserts is that the opinion of the civilised world views with disfavour the past conduct of England towards Ireland. Why, Sir, he need not go as far outside as the civilised world to discover that. I do not suppose there is a single Unionist who would not echo that declaration, and say—"I join in the opinion of the civilised world in that regard." It is impossible for any of us to view with approval the past conduct of England towards Ireland; but if that is all we can get from the opinion of the civilised world, what bearing has it upon the question whether the Home Rule Bill should become law? That is the practical question we have now to deal with, and if the opinion of the civilised world is worth anything it must be brought to bear on the problem. The right hon. Gentleman the Member for Sleaford will, no doubt, take an early opportunity of vindicating the position he has taken up. I must say a word or two on the statement of the Prime Minister as to the attitude of Count Cavour. What was the conduct of Count Cavour with respect to the special question which agitated England and Ireland at the time he visited this country and visited Ireland—namely, the repeal of the Union? His article, which is a classic on the subject, is a long-sustained argument against the policy of the legislative separation of the two countries. It is no answer to say that Cavour was arguing against O'Connell and repeal, for his arguments were as applicable to a subordinate Parliament free from the intervention of this great Assembly as they were to the proposal formerly under discussion—the separation of the two Parliaments. Cavour was altogether opposed to the policy of the present Government, although the form of his opposition was directed against the repeal which was then advocated. My right hon. Friend cites the declaration of Cavour with respect to the conduct of Great Britain towards Canada as being conclusive. I am not aware of the context, but even as I heard it read it did not in the slightest degree appear to justify the conclusion

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drawn. Cavour only suggested that in dealing with Ireland the same tolerant, free spirit should be shown.

MR. W. E. GLADSTONE : The words were these : "What they did for that distant colony they will do for Ireland."

MR. COURTNEY : Does my right hon. Friend mean to say that Cavour had in his mind the setting up of an autonomous Legislature in Ireland?

MR. W. E. GLADSTONE : Clearly.

MR. COURTNEY : I contend that that is wholly against Cavour's argument. We need not, however, dwell upon what Cavour said in his article, though it is extremely pertinent. I invite my right hon. Friend to consider another fact. What did Count Cavour do in Italy? Cavour was invited to set up a Federal Monarchy. Strong pressure was put upon him to preserve the system of component States in Italy. An ardent Home Ruler who has now passed away from us, the late Professor Freeman, thought Cavour made a mistake in not giving Home Rule to Sicily. That was not the opinion of Cavour. Cavour's practical action was directed, in spite of the pressure of the French Emperor and of the apparent difficulty of the work which he undertook to the unification of Italy, the suppression of autonomous Legislatures, and the forbidding altogether of any suggestion of Provincial Assemblies. The unification of Italy was Cavour's work, and it stands out as an eminent illustration of what he really thought was the policy of dealing with States situated with respect to one another as the States of Italy were and as Ireland is in respect of Great Britain. He carried out in Italy precisely the policy he advocated in his celebrated article on the question of Ireland and Great Britain. The Prime Minister directed the greater part of his argument to the way in which the Bill was discussed in the House. That argument was an appeal to the country on the question of the way in which the Bill was debated and considered. I am quite ready to face that argument. In saying that no Bill had ever been so debated and dealt with before, my right hon. Friend was using the same fallacy as he used in respect of Home Rule. He was disregarding the particular circumstances of the Bill. I venture to say that if

examined it will be found that no Bill has ever been submitted to this Assembly under circumstances similar to the present. I do not dwell merely on the complexity of the Bill. That is admitted by my right hon. Friend, and undoubtedly a Bill on this subject must be complex. But inasmuch as it is complex it necessarily provokes a great deal of criticism and a great deal of discussion; and where should discussion be initiated—whence should criticism come—but from the Opposition? To complain of the Opposition because they criticise is to complain of them for discharging what is their proper function. But in reference to this argument there is a more important matter than the complexity of the Bill. What is obstruction? The question has been often asked. I attempted to answer it a dozen years ago, and quite apart, therefore, from any relation to the circumstances of the hour. I take leave to repeat what I said then—that obstruction does not lie necessarily in the making of many speeches, in the moving of many Amendments, or in the occupying of much time. The essence of obstruction is the using of the Forms of the House in order to gratify your own self-will, or in opposition to things you dislike, without any larger aim and without any public motive. But I added that if the questions raised were those upon which it was necessary or justifiable to educate the electorate, then the Opposition was not only justified, but bound to use the opportunities of Debate in order to elucidate the issues so raised. I apply these principles to the Bill. The Bill is not only complex, full of new principles which require examination, and pregnant with issues which demand investigation; but it has been presented to the House with at least the doubtful sanction of national approval. You cannot claim that there is behind it the strong, clear power of the nation. A score of Members shifting from one side of the House to the other would ruin your majority. Not only is the majority small, and secured without reference to the details of the Bill, but it was obtained upon the presentment of several other issues which were ingeniously, perhaps necessarily, tied up and bound up with Home Rule; and it, therefore, cannot be trusted upon that issue alone. Under these circumstances, and with the certainty from the

first that the Bill will not pass into law, it became the duty of the House to engage in discussion for the very purpose of elucidating the issues involved in the Bill, and of securing that if the question were again put before the constituencies they should know exactly what is the issue, and should, as far as possible, be enabled to vote upon the precise question submitted for their decision. We acknowledge the binding and conclusive authority of the nation when the national will is once ascertained and once declared. We might regret the decision, but when it has the form and substance of a deliberate judgment we bow before it. The Government have not that support behind them now; and the labours of the Opposition are directed in order to secure that at some time—we hope no very distant time—we will obtain the determination of the national will upon the question to be submitted to it. So far from thinking that we have spent too much time, or raised too many questions, on the Bill, I think we have not occupied enough time, or raised a sufficient number of questions. There are many questions which we could not raise—some because of the Forms of the House, others because of the process to which the Government allege they were driven—but which must be debated before any Home Rule Bill can become law. Reference has been made to the situation in 1831, when Lord Grey was passing his Reform Bill through the House. That Bill, no doubt, met with a strong Parliamentary opposition. But what was the temper of the nation in respect to it? It was impossible to hold a meeting against the Bill in any part of Great Britain. Wherever they went the opponents of the Bill were in a small minority, and were exposed to violence if they made any declaration of their opinions. There had been a national demand for the passing of that Bill which was felt within Parliament, and which necessarily operated on the length and course of its Debates. But now go to any part of Great Britain you please; go to the most populous centres, industrial or commercial, and you can hold a great meeting on behalf of the Bill. Next week you can hold an equally great meeting against it. Go to Liverpool; go to Manchester; go to Glasgow; go to Edinburgh—let a Leader of one Party go down, and he will be received

by thousands; let a Leader of the opposite Party go down, and equal thousands will greet him. You have not, in the present instance, got anything like that national determination which would enable you to carry this Bill through under circumstances similar to those of 1831. I do not dwell on the fact that Great Britain by a majority has decided against Home Rule. But it is a fact, and Lord Brassey, a trusted friend of the Government, has declared that it is hopeless to try to settle this question unless you have a majority in Great Britain as well as in Ireland in your favour. I defy the right hon. Gentleman to cite an illustration of any Bill of the same far-reaching character, involving issues of the same degree, which has passed, or could pass, except under such conditions as those under which the present Bill has been making its way through the House. The Chief Secretary, addressing his constituents the other day, told them that the Constitution of the United States was drawn up and agreed to after five months had been spent upon it. I suppose that my right hon. Friend, like others, has a platform manner as well as a Parliamentary manner, and he says things on the platform which at all events will not instruct—will not edify—those who hear them. Does the right hon. Gentleman really think that the framing of the great Constitution of the United States is a parallel case? One thing at the back of the framers of the American Constitution was a sense of the imperative necessity of its being done. There is no such sense in the present case. The framers of the American Constitution sat in secret. The parallel to their conduct is not the action of the House of Commons, but the action of the Cabinet of Her Majesty. The action of the Cabinet Ministers in the framing of this Bill may be cited as a parallel to the action of the framers of the Constitution of the United States. There is no parallel whatever between the conditions of their action and the conditions of this branch of the Legislature receiving and discussing a scheme of Home Rule from the Advisers of the Crown. My right hon. Friend the head of the Government is very much disturbed at the length to which the Debates have run. Let me recommend to his attention something which is happening in a country

with which he has a strong and lively sympathy. He once reproved one of the minor Members of his Government for casting a slur upon the position of the Kingdom of Belgium. It is not a very old Kingdom; it has lived for 60 years with great honour and respect; Parliamentary Institutions have taken up their abode in it; they are well developed and appear to be strong. What has happened there? Three years and more ago, after many years of debate outside, the Chambers agreed by a unanimous vote that a particular article dealing with the Parliamentary franchise and the constitution of the Chambers should be considered, revised, and amended. This happened in 1890; it was re-affirmed in 1891; and the work of that revision is still going on. It has been all these three years before the Belgian Chambers; and *The Times* of yesterday shows that the Senate is still discussing a particularly contentious point. There has been considerable excitement in Belgium, but at the same time the people have patiently awaited the progress of the discussion, in which the issue is really no more than the issue involved in that part of this Bill which is concerned with the constitution of the two Houses of the Irish Legislature. If they can spend three years in discussing these questions in Belgium, it would not be very much for Members to spend a whole Session in considering these three clauses alone.

COLONEL NOLAN (Galway, N.): At that rate the Bill would take 20 years.

MR. COURTNEY: We have not spent one hour on the question of the constitution of the two Chambers, or the two branches of the Irish Legislature. We have spent a great deal of time, no doubt, and I am not here to declare that on every point that time has been wisely or judiciously appropriated. I do not think it is possible in any Parliament to exercise a rigid economy in the disposition of time; and it may be that the lesson to be derived from this attempt at legislation is that we may have considerable changes made in our procedure—not such as were adopted at second hand by the Government, but something which will secure the discussion of all the principles contained in a Bill, and possibly a more rapid review of the details branching out of them. But we have not spent an hour over the composition of the

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Irish Legislature. We discussed and voted that there should be an Irish Legislature, and that it should consist of two Chambers. The vote in favour of two Chambers was notoriously given by many Members with much hesitation, and it is conceivable that their action would be entirely changed by a discussion as to the composition of the two Chambers. But we never came to that discussion. Now conceive of such a course of procedure as this. You have brought in a Bill to establish a Legislature in Ireland; you determine that there shall be two Chambers; you leave the details to be filled in without discussion; and you call that Parliamentary government—you call it legislation by a deliberative Assembly. The Belgian people spend three years; we have not spent three minutes; and yet we are to pass this Bill as worthy to become law. I understood my right hon. Friend to say this was one of the subjects that had been debated in the country, entirely forgetful of the way this House had dealt with it.

MR. W. E. GLADSTONE: I said that what had been determined was the constitution of a Legislature with two Chambers. I never said that the constitution of each Chamber had been debated.

MR. COURTNEY: But on this, which is treated as a small question, many people believe the whole aspect of Home Rule depends. To-day I met a Home Ruler in the Lobby who said—"The whole thing depends upon the way you compose the Lower House in Ireland. If you make that a fitting House, you may then trust the Legislature to act justly and wisely, and you may hand over the fortunes of Ireland to it." The whole matter depends on the decision of the House on what my right hon. Friend considers a small matter. I think anyone who reads the Prime Minister's speech will infer that the actual constitution of the two Chambers has been examined and determined, whereas there has been no examination of their composition. One of the followers of Her Majesty's Government, who has so far supported them unflinchingly, declared in Debate that his vote on the Third Reading would depend upon the nature of the Lower House. I am not speaking of the hon. Member

for Newington (Mr. Saunders), who said he would not vote for a Bill with a Second Chamber in it; I am speaking of the hon. Member for Whitehaven (Mr. Little), who said his action upon the Third Reading would depend entirely upon the question whether there was any provision for the representation of minorities in the Lower Chamber. And this is a matter which my right hon. Friend considers a matter of minor importance. I might name half-a-dozen other subjects which were not examined, and could not be examined, under the scheme of Closure adopted by Her Majesty's Government. We really have had no examination of the question in what respect, if at all, Irish Members should sit in this House. It was disposed of very rapidly after a complete change of front on the part of the Government, and the main discussion of the question occurred in two speeches of my right hon. Friend, one made in bringing in the Bill and the other in abandoning the original clause. But a question which vitally affects Great Britain, supposing Home Rule to be set up, was not seriously examined in this House. A good deal has been said about it at different times; there has been a good deal of assertion on the part of my right hon. Friend which I should like to examine briefly. He seems to have declared that the Liberal Party was strongly, and the Liberal Unionists were still more strongly, in favour of the inclusion of the Irish Members. The Chancellor of the Exchequer devoted a great deal of time to the examination of the question how far one eminent Liberal Unionist was committed to the retention of the Irish Members. As a body, the Liberal Unionists never committed themselves to any declaration on the point. The late Mr. Bright, who was an eminent Member of our Party, said of the Bill of 1886 that the one thing in it of which he approved was the exclusion of the Irish Members. Lord Hartington never committed himself any further than this—that their exclusion was a demonstration of the degree of separation which was involved in the Bill then before Parliament; but he never committed himself to any declaration as to whether he would have included them supposing it was necessary to pass a Home Rule Bill. I

can speak on behalf of many of my friends and myself. Speaking of the subject in the country, I have declared that, if ever Home Rule became law, the exclusion of the Irish Members would be a necessary consequence. On the part of Liberal Members I crave some recognition, some little consideration of these facts. Let us consider the situation when the Home Rule Bill of 1886 was introduced. It excluded the Irish Members. The Bill itself was a staggerer, we know, to the Liberal Party, and in their dislike to it they naturally seized upon the thing open to the strongest criticism. But let us look fondly at the matter, and ask ourselves this. Suppose that the Bill of 1886 had been brought in with the inclusion of the Irish Members, would there not be very much the same severe criticism to the inclusion as there was to the exclusion; and was it not, in fact, simply an expression on the part of Liberal Members who objected to exclusion that they were not ready for the Bill at all? The inclusion or exclusion was seized upon—the point which was most open to objection, most damaging, and which would most completely get rid of the Bill. If we are to consider the matter in a practical way as to what will follow when Home Rule becomes law, we must approach the question with an open mind; and I venture to say it would demand a much larger consideration and minuter examination to be given to it, and that it will be found that the majority of this House are decidedly in favour of exclusion. Even if it be true that the majority of the Liberal Members are deliberately in favour of the retention of the Irish Members, the majority of the Liberal Members are not necessarily the majority of the House, and do not necessarily reflect the opinion of the majority of the country, and they must give way to what is demanded by the majority of the House. This is another point which cannot be said to have been exhaustively examined; in fact, the view I have presented to the House was never presented before at all, and it seems to me to require some consideration and examination before the matter can be considered exhaustively. I might go to the matter of finance, of which, no doubt, we have had several versions, but of

which certainly we had no final or complete examination. In finance, as in respect of the retention of the Irish Members, we have had illustrations rather of the uncertainty of the handling of the matter on the part of the Government, and I think we have come, at the end, to the solution in this case as in that, worst of all. I can conceive of an arrangement of finance as between a supreme and a subordinate Parliament under which the subordinate Assembly would have authority over particular taxes local in their nature, and which would not interfere with trade relations between the two countries, which would furnish the subordinate authority with a Revenue which it might economise, dispose of, reduce, or extend, and over which it would have a free hand. That is a reasonable form of solution, suppose it were necessary. I can conceive, again, of a situation in which a fixed amount of money should be paid by the subordinate to the supreme authority, which could be revised from time to time by the united Parliament or by delegates representing the two authorities, but which for each period would be unchanged. Again, you leave the financial conduct in the subordinate Parliament. But in the settlement you have adopted you have not given freedom to Ireland or the United Kingdom. You have tied the hands of the Chancellor of the Exchequer; you have given no motive of economy to Ireland whatever. If the Chancellor of the Exchequer makes any alteration, he is bound to take into consideration what effect this will have upon the third which is allotted to him in respect of Irish charges. Both will be hampered, neither will be free. You have settled on a scheme without adequate debate, and you have presented hurriedly this third plan of dealing with the question, which contains within it the maximum of inconvenience with the minimum of convenience. I might refer to one other matter on which there was no discussion at all, although it is of the highest importance in respect to the settlement of this question. You are retaining to the Imperial Parliament certain authority and certain jurisdiction within Ireland itself. You propose to secure the maintenance of that authority and that jurisdiction by setting up certain Exchequer Judges,

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who shall be your agents to enforce the supremacy of Parliament within Ireland; but by what machinery? How are they to exercise their power? We never had a word of discussion about this; and yet upon the framing of the machinery which the Exchequer Judges will use, upon the giving to them of power to exercise their authority, the whole of their authority must depend. It is in vain to talk of supremacy to be exercised through these Judges, unless these Judges are somehow endowed with the power and machinery to enforce their decrees. You never considered the mode in which these gentlemen should be appointed; you never considered the security they were to have for their authority; you never considered in any way in what fashion they would be able to enforce obedience to their decrees. I pass on to that which is surely the most vital question of all—the question of the land. Did we have any debate whatever in respect of the land in Ireland? We had, for above an hour, some discussion on the question whether the subordinate Commissioners of the Land Commission should or should not be appointed from Westminster instead of Dublin; but as to discussion on the Land Question of Ireland as a whole we had none. And yet the Bill contains the extraordinary clause that for three years the Irish Parliament shall be debarred from dealing with the Land Question. I will recall in this connection the words used by an eminent Member of the present Government. Some two years ago the Home Secretary, speaking at Manchester, uttered some words of wisdom on this point; and here I may observe that it is not by design, but a happy circumstance apparently, that the most formidable critics of the Bill, those who showed by their declarations beforehand how much they understood the character of the problem, have almost all been absorbed in the ranks of the Government, so that they have been debarred from uttering that criticism which would have been so valuable, and from which the House would have derived so much assistance. What did the Home Secretary say two years ago at Manchester? Why, he implored the Leaders of the Liberal Party to do then what would have saved an infinite amount of trouble in the next

Parliament, to give at least the outlines of their scheme—

“Because,” he said, “if you do not do so you will be told that the country has not voted upon your scheme, and that the scheme must be sent back to the country.”

He went on to say—

“It would be absurd for any Home Ruler to think of setting up a Parliament in Ireland, and to deny the amplest power over the Land Question.”

The Home Secretary is now a party to what he then denounced as absurd—at all events for a period of three years. For three years the Irish Parliament are not to interfere with this Land Question. Again, that is a reason for refusing to accept a Bill which for three years exposes it to the condemnation which the Home Secretary pronounced beforehand, and which also leads us to conclusions which have never been considered and discussed by the country at large. I will not go through the many other points which might be examined, as many other persons will have to take part in this discussion. But there are half-a-dozen matters of importance in respect of the Bill which have never been discussed at all. It is sufficient for me now to say that this Bill is, in my judgment, ill-conceived; and it has been worse developed. It is wholly wanting in certain organs which are necessary to carry out the scope of its action, if it ever becomes a vital law. Other parts in it are rudimentary and cannot be trusted, and the Bill, as a whole, is in that position that it is impossible it could pass. It is lop-sided; it is amorphous; it is undeserving of, and does not receive from anyone, respect. There is no Legislature with any self-respect which could pass this Bill. I will go further and say this. If this House suddenly found itself vested with full powers to make the Bill as it stood the law, this House would reconsider its position and withhold this Bill from its last stages. You go through the form of passing it; you give it sanction in order that it may meet its fate elsewhere; but if you had the power in your own hands, if you, by your *fiat*, could make this Bill law you would not do it. You would be suddenly sobered by the sight of it. You would see that there are things to be supplied which must be supplied. This must, of course, be known to Her Majesty's Ministers

even more than to their followers. They are perfectly conscious of this. This Bill is described as a workable Bill. It is an extraordinary phrase. The Bill could not be worked. The Bill requires improvements, amplification, reconsideration, and much alteration, before it could ever hope to be launched into law. It is going already from here, and it will meet, no doubt, its fate elsewhere—a fate which few will regret, and which will, on the whole, be considered well-deserved. Already Ministers are groping about to see if they can discover some method of dealing with this question hereafter. I think it is well worthy of consideration how it can be dealt with hereafter, because it certainly will not be disposed of now. I think I may be permitted in passing to say, with reference to the suggestion which the right hon. Baronet the Member for the Forest of Dean (Sir C. W. Dilke) has recently made, that, whatever may be said in its favour under apt circumstances, that suggestion could not be entertained here. The suggestion is that if a Bill has been deliberately considered and finally settled, and once passed by either branch of the Legislature, it should then become law, or that the branch of the Legislature from which it has passed might provide by a Resolution that the Bill should be again taken up in exactly the same stage as it was when it last left them. A good deal may be said for that proposition under apt circumstances. It is, in fact, nothing more than a suggestion for suspension and resumption which has been made by many persons charged with the responsibility of Government. The suggestion for suspending a Bill and resuming it at the stage at which it was left off has been made by my right hon. Friend the Leader of the Opposition—[Mr. A. J. BALFOUR: Hear, hear! ]—and met with strong opposition from the Chancellor of the Exchequer. But in respect of this Bill the suggestion is inapplicable, because the first condition is wanting. It is only applicable when the House which seeks to revive the Bill has deliberately considered it, has gone through all its details, and has given a considered and final judgment upon it. But a Bill which has been passed through the House by preventing two-thirds of its details from being considered at all—a Bill of that character does not come in any degree

within the scope of the suggestion, and that, at all events, must be set aside in respect of this Bill. But, Sir, we need not consider at present how this matter is to be dealt with hereafter. It is enough now to know that the Bill is moving to its doom. The Bill is moving at present to its doom, and I observe already that some thoughtless, some reckless persons are disposed to raise a cry against the other House on the supposition that the other House will refuse to pass the Bill. I believe no person with any sense of responsibility, no person who believes at all in popular sovereignty, who understands or recognises what is meant by the expression “the will of the nation,” will for one moment seek to quarrel with the House of Lords if they refuse to approve the Bill. If, indeed, the Lords reject this Bill simply from wilfulness or wantonness, because it is personally repugnant to them, no one would condemn their action more loudly than I should. Further, if they refused to accept the Bill on a deliberate examination of the whole subject, for the reason and conviction that it would work mischief to Ireland and to England, much as I should respect such a decision, I should not be able to accept it as a final dealing with the matter. But at the present time, in relation to present circumstances, I look beyond the Peers to the people. [*Cheers.*] I am glad to think there are others who agree with me in that respect. We want to go to the people. We demand the national judgment. We are ready to go to the people. They are the judges—they must decide. Let them at least know the arguments; let them at least know what the issues are on which they are to pronounce. Yes; we will go to the people; let it be an understanding people and we do not shrink. But the people at the last Election had not before them this Bill. They did not know what was involved in the plan. The people at the last Election were not furnished with the means of judgment such as they now possessed; and, furnished as they were, they gave that halting and uncertain verdict, which I ventured to describe immediately after it was delivered as being nothing more than a determination to give my right hon. Friend “another chance.” He has had his chance; he has presented his Bill. That Bill has been

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exposed, not fully, because the opportunity of full examination has not been given. [*Ironical laughter.*] I have cited parts of the Bill which have never been examined at all. You cannot get rid of a hard fact like that by laughter. We are ready to go to the people on the issue now debated and now understood. Let them decide between the two alternative policies. There is the policy of interfusing the people of the two countries; of bringing us nearer to one another; the policy of effacing, except for historical, and retrospective, and sentimental purposes, all distinction between Irishmen and Englishmen. That is the policy which great men adopted in past years. It was the policy which the genius of Cromwell—not a friendly name in Ireland—first conceived. It was the policy which the great men of the 18th century longed for, which Pitt consummated, and which for 60 years at least, from 1832 down to the present, has been steadily developing in better government for Ireland, and in drawing nearer to each other the people of the two countries. That is one policy. On the other hand, if you realise what is meant by this Home Rule; if you realise that what you call “liberty” is the domination of a class, that what you call “peace” is warfare, that what you call “order” is the breaking out of discord, that instead of the unity of the nation being established you are tearing asunder social and international bonds; if they realise the contrast between the two policies which all statesmen of any authority down to 1885, including my right hon. Friend at the head of the Government himself—

MR. W. E. GLADSTONE: No, no! Read my speech on the Address in February, 1882, where I said I was favourable to the principle of Home Rule provided that means were adopted for maintaining the supremacy of Parliament.

MR. COURTNEY: I will qualify my statement with respect to my right hon. Friend by saying that all except him had approved, and which he himself had been understood to approve. [MR. GLADSTONE: No, no!] I remember well the speech of my right hon. Friend at Aberdeen. [MR. GLADSTONE: In 1871?] No; later than that—a much later one than that—it

might have been in Edinburgh. I remember, however, the speech very well, in which the whole audience rose when my right hon. Friend made a declaration which they believed to be adverse to Home Rule. The language used, when carefully examined, did not bear out the interpretation which the whole audience put upon it. Let, then, the two policies be set aside in their entirety and fulness, in all their meaning. Let them be set before the people. Let their judgment be ascertained, not as a passing fancy, but as a deliberate and well-understood and well-conceived resolution. Whatever the consequence may be, I at least—and I believe I speak for my friends—would not shrink from it, although it might not be what we desired. We have confidence that if the issue is honestly presented, the issue between the unity and this partial separation of the two Islands, the principle of unity will prevail, because the nation will see in it a finer ideal, a grander future, to wash away all traces of the dismal past, and so make us, indeed, a united nation, breathing one spirit and working through one Legislature to a common end. I beg to move that the Bill be read a third time this day six months.

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day six months.”—(*Mr. Courtney.*)

Question proposed, “That the word ‘now’ stand part of the Question.”

MR. NEVILLE (Liverpool, Exchange) said, he felt that he owed an apology to the House for continuing a Debate upon a subject which undoubtedly now must inevitably be one of weariness to the majority of Members. Indeed, one felt that one ought to be gifted with the wit of the hon. Member for East Edinburgh (Mr. R. Wallace)—and then it was necessary to speak against one's own Party in order to get it fully appreciated—or to leave the discussion to those wise and eminent persons whose speeches were interesting on all subjects *ex officio*. But he had two pleas in extenuation. One was that until the present time he had not spoken in any of the Debates on the Bill, and the other was that he was a Home Ruler of somewhat longer

standing than some of his friends, and, consequently, felt a very profound interest in the fate of the measure. He would like to make one reference to the discussion as to the opinion and policy of Count Cavour. The right hon. Member for Bodmin (Mr. Courtney) told the House that although the passage cited by the Prime Minister undoubtedly was an expression of the opinion that the self-government which was given to Canada would prove effective for the peace of Ireland, still he was to be judged by his actions and not by his words, and that his own policy, when confronted with a similar difficulty, was in favour of unification, and not in favour of the autonomy of the several States with which he had to deal. The right hon. Gentleman said that considerable pressure was put upon Cavour to induce him to preserve the autonomy of the States; but he did not tell them—and it was the most important part of the question—what was the opinion of the people of those States upon the question? Did the right hon. Gentleman wish them to believe that Count Cavour insisted on the unification of Italy against the wishes of the Italian people, and of the citizens of the autonomous States? There could, he thought, be no difference of opinion on that point, and that what Cavour was doing in that instance was exactly what the Prime Minister was doing now—namely, giving effect to the wishes of the people themselves as to the form of the Government under which they should live. With regard to the Bill itself, it had been subjected to severe criticism. He was prepared to admit that it had been, to some extent, subjected to damaging criticism. But the first consideration that occurred to one on the point was—Was any paper Constitution conceivable which could not be subjected to damaging criticism in the House? He thought not. Suppose, to take an example, the British Constitution were put in the form of a Bill and introduced by the Prime Minister. Imagine the torrents of invective and ridicule which would be poured upon it by the right hon. Members for East Manchester and West Birmingham. The British Constitution could not stand such criticism unscathed; and yet the British Constitution marched—he was going to say worked, but the right hon. Member for Bodmin disap-

proved of the application of the word “workable.” Or take the boasted Constitution of America; was not the measure of success which undoubtedly attended it due a great deal more to the genius of the people and the social conditions resulting from the undeveloped resources of the country than to any extraordinary or superhuman ability on the part of its framers? The truth was that any reasonable scheme would effect its purpose if those to whom it was entrusted were honestly desirous that it should; while, on the other hand, he was convinced that if the Angel Gabriel himself were to design and draft a Bill for the self-government of Ireland, it would be a most unsuccessful measure unless the citizens both of England and Ireland were determined to make the best of it, and turn it to the purpose for which it was intended. At to the attitude that should be taken on the Third Reading by supporters of the Government, they could not possibly have a Bill which would suit the precise taste of every supporter of the Government, to say nothing of the Opposition; and it seemed to him a very extraordinary position for a man to take up who was convinced of the soundness of the principle of Home Rule for Ireland to go off on this point or on that of minor importance, and refuse to support the Government, because in every particular the Bill did not carry out his wishes in the way in which he would most like to see them carried out. It seemed to him that the main question was whether this was a workable measure of Home Rule or not? If it was a workable measure of Home Rule, then he thought every sincere Home Ruler was bound to vote for it; if it was not, it would be of no good either to England or Ireland, and they ought to vote against it. He was willing to confess that in one regard he should very gladly have seen the Bill other than it was. He alluded to the 9th clause. He did not conceal the opinion he had always held that, however strong the theoretical arguments against it might be—and he admitted that they were of very great strength—the compact that was entered into in 1886 for the exclusion of the Irish Members was one which in practice would have been found to be beneficial both to the English and to the Irish people. But there was this to be said—

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that undoubtedly before the General Election of 1892 the present Prime Minister distinctly declared that any measure of Home Rule that he introduced would contain a provision for the inclusion of the Irish Members in the Imperial Parliament; and, therefore, whatever his private opinions might be, he could not possibly, after seeking the suffrages of his constituents upon the footing of the Prime Minister's policy, vote against the Third Reading, or any part of the Bill, because it contained a clause for the inclusion of the Irish Members in the Imperial Parliament. From his point of view, the actual details of the Bill, though, no doubt, not unimportant, were not of paramount importance. The real question was whether they had or had not got a scheme of self-government which would enable the Representatives of Ireland in their own country to deal satisfactorily with their own affairs. His contention was that, with the present Bill, they had such a scheme. The right hon. Member for Bodmin, in his argument, resorted to one of those assertions which had been so very widely spread and frequently used in the Debate on the Bill—namely, that the supporters of the Government relied in their support of the Bill upon the knowledge that the House of Lords would reject it, and that if they were put in the position of being able to make the Bill law to-morrow they would shrink from doing it, and would go back from their word. That kind of assertion could only be met by an assertion to the contrary. From what he knew of his own opinion, and of the opinion of his friends, he could say that, so far from the right hon. Gentleman's statement being correct, no political gift that could be offered to them at the present moment would be so highly prized as the right to make this Bill law, and proceed at once to the transaction of English business. He fully admitted the responsibility which they owed to the minority in Ireland, to see that they were not subjected to tyranny and misgovernment, which they must suppose that minority seriously feared. What he said was that their true and only possible protection depended upon the power of Great Britain and the supremacy of the Imperial Parliament, and that by no possibility could they

make the position of the minority secure, although they inserted hundreds or even thousands of limitations upon the action of the Irish Parliament. Whatever powers they gave to the Irish Parliament must be powers which, if that Parliament was maliciously inclined, it would be able to turn to the detriment of the minority in Ireland. The only protection worth talking about which the minority in Ireland could have was the protection afforded by the perfectly well-known fact—well-known in Ireland as well as in England—that if the Irish Parliament were to attempt to abuse their powers to a degree, however small, in proportion to the degree which it had been suggested they would abuse them, these powers would be taken away from them, and their last chance of Home Rule would be absolutely gone. That was the real protection which the minority in Ireland had got, and it was the only protection they could have, and he believed it to be an ample and sufficient protection. It had been said by the Leader of the Opposition and others that the followers of the Government would find it difficult to justify their support of the 9th clause before their constituents. He took quite another view. The first matter to consider, when they were dealing with the question of whether the Bill was or was not worth having, was what was the condition of affairs which the Bill was intended to replace. There he at once joined issue with the right hon. Member for Bodmin, when he declared that, in his opinion, there was no imperative necessity for the Bill. That seemed to him the fallacy which underlay all the arguments of the Opposition. They had always spoken of the matter as though some kind of ideal relation existed between the countries of England and Ireland, and as if the Liberal Party were constantly interfering with a state of things which was acting admirably. His view of the matter was exactly the opposite. The condition to which that House had been reduced before the introduction of the Home Rule Bill in 1886 was one which, in the interests of this country, was utterly intolerable, and which held out every threat of getting worse. There was then among them a substantial minority who came from Ireland with a fixed determination to prevent the trans-

action of Public Business as long as their claims were disregarded. Hitherto he would have referred to their conduct as obstruction; but accepting the definition of the right hon. Member for Bodmin it was not obstruction at all, for according to that definition no course could rightly be termed obstruction that was resorted to for public purposes. According to the right hon. Gentleman, for a public purpose one might abuse every form of the House with a view to prevent the transaction of business.

MR. COURTNEY: I did not say that.

MR. NEVILLE said, he had carefully noted what the right hon. Gentleman had said, and he had certainly understood him to exclude from the category of obstruction tactics which were resorted to in furtherance of a public object. But by whatever name the state of things that prevailed before 1886 might be called, it was a formidable state of things that had to be dealt with. They had resorted to a number of expedients in order to meet that state of things. Everyone should admit that these measures had been ineffectual in securing the satisfactory transaction of the Business of the House. It was only natural that that should be so. Representative Institutions were never intended and could not be directed to the government of the discontented. Where there was a substantial minority who were dissatisfied with the method of Government the representative system must inevitably break down, and there must be a paralysis of the legislative power. The question, therefore, which the House had to consider was whether this Bill would afford any amelioration of the difficulties which had undoubtedly existed? He held that it would. In the first place, the representation of Ireland in that House would be substantially reduced, and from this a direct advantage would accrue to British electors, for it was only right that they should have what they had not had up to the present time—namely, their fair proportion of representation in the House of Commons. But indirect advantages would be gained which would prove to be so great as to be a solution of the difficulty he had referred to, and which would restore to the House of Commons the power of transacting its business in an efficient way. Under the new system the Irish Mem-

bers would have something to lose, and they would act in such a way as to make sure that they would not lose it. Irish Members and Irish electors were spoken of in such a way that one almost doubted whether hon. Members thought they were capable of seeing their own interests. His opinion of Irish Members had been largely increased by the manner in which they had acted during the discussions on this Bill. They had shown the greatest self-control in the manner in which they had listened to the Debates. He confessed that if he had heard the English nation and British Members spoken of in the House as Irish Members and the Irish nation had referred to, he would have found it hard to display the same self-control which had been displayed by the Irish Members. It was contended, of course, on the opposite side that Irish Members were shrewd enough to see that it was their self-interest to act in the way they had done while the Bill was under discussion. That was what he relied on for the future success of this Bill. Their own interests would dictate to them such a course of action as would secure the continuance of the benefits which they would derive under this Bill, and lead to the removal of those restrictions with which it had been thought necessary to hamper their new powers for the present. A course of intrigue on their part, impeding the progress of English Business, would be the greatest error they could commit. The Irish Members knew that the patience of the English people, though large, was not inexhaustible; and no country had ever yet tried that patience beyond endurance without being very sorry for it afterwards. It had been said that if this Bill were passed the Irish Members would become Delegates, and cease to be Representatives; but in what sense in which they were not Delegates now would they be Delegates then? With regard to their co-operation in English legislation, they would be in precisely the same position as they now occupied. The right hon. Member for West Birmingham had said that under the new system the British portion of the House of Commons would have no power of retaliation. The policy of retaliation might be very dear to the heart of the right hon. Gentleman. But he would ask him in what way this alleged power of retaliation had been

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effective to deal with the difficulties which the House had encountered in the past. Could one instance be pointed out in which the power of retaliation had been effective in mitigating the opposition of the Irish Representatives in the House of Commons? This weapon, if serviceable at all, had been kept in its scabbard until now, and was only hunted out from the armoury to show the injury that would be done to British interests under the Bill. The right hon. Member for Bodmin spoke of an alternative, and, in his peroration, referred to some ideal Union with Ireland. But no alternative to the present scheme had ever been offered to the country. Therefore, they had to choose between this scheme and leaving things as they were, or, rather, in a worse position than they were, inasmuch as the agitation of the past 12 months would absolutely increase the demand for Home Rule in Ireland. In 1886, and even later, the proposed alternative to Home Rule was 20 years of resolute government—in a word, coercion. But that was no alternative, though he was quite prepared to admit that superficial order was, to a large extent, maintained under that system. A Government by police was, however, a very hateful, though, he admitted, a possible form of Government, as was proved in Russia. But coercion in Ireland could not possibly be supposed to improve the condition of affairs in that House. Was it likely to cure disaffection? Would the Representatives of Ireland be less vigorous under it? So far from affording any possibility for improving the Parliamentary position of things, it would inevitably result in an increased strain when dealing with our own business. He submitted to the House that he had shown that great advantages were likely to result from the passing of this measure, and that, if the House were to refuse to pass it, nobody had anything to offer them in its place. He believed that the House would pass it with an undiminished majority, for he could not conceive any true Liberal who believed in the efficacy of Home Rule, but who, because he disagreed with this or that particular clause or provision in the Bill, should think it right to vote against the measure as a whole. What would be the effect of such a course if it were followed by each

individual Member, or by any substantial number of hon. Members? They would be throwing away the labours of the last seven years; they would be committing the country to a long period of Tory Government, and, if he might use the expression, Pinchbeck reform. Therefore, no true Liberal should withhold from giving his vote in favour of the Third Reading of the Bill. They had been told that neither the country nor the House had had time for the discussion of the measure, and they were referred to the example of Belgium. If the Belgians liked to spend three years in discussing a portion of their Constitution, let them do so; but he was quite sure that such a course would not suit the people of this country. After seven years' discussion, which the principle of Home Rule had received in the country, and after the discussions upon the present Bill in this House, he was sure that if the Liberal Party failed at all in obtaining the suffrages of the people of this country, it would not be on the ground that this matter had not received sufficient consideration both in the country and in the House.

\*MR. CONINGSBY DISRAELI (Cheshire, Altrincham) said, that as the last speaker had stated that he was converted to Home Rule by the former obstruction of the Irish Members, he certainly ought to be brought to give his vote against the present Bill through the obstruction of a far more numerous minority, which had been so frequently charged against the Members of the Opposition.

MR. NEVILLE: I did not know that the Opposition admitted obstruction.

\*MR. CONINGSBY DISRAELI replied that they did not, and that was all to the point. The Government motto had seemed to be for the last seven months, not *carpe diem*, but *carpe dies*. He desired to look at the speech of the Chief Secretary for Ireland to his constituents, because it was a very good keynote of what the speeches would be in the different constituencies. The right hon. Gentleman had a very admirable platform manner. He spoke from experience, because he had the opportunity of hearing a speech from the right hon. Gentleman in his own Division at the last Election; and, therefore, he could say that his speech on Saturday

must have been very pleasing to the people of Newcastle. The right hon. Gentleman told them the number of lines passed in the Bill, the number of hours that were taken, and the number of Amendments that were put down; but he did not tell them the number of times that the Government could not answer questions put to them. He did not tell them how thoroughly changed the Bill was since its introduction, nor how time after time the House adjourned with a great part of the Bill left unintelligible to Members like himself. He would compare this precious measure to Galatea. It was brought into the House a living—a “workable”—model; but when they desired to inquire into the character and past history of it the curtain was drawn. He was certain that this Galatea would now be judged by the Peers, not as something workable, but as “a woman of no importance.” The Chief Secretary spoke at Newcastle of the necessity for this Bill, and drew a parallel between the present position and Washington and his elders drawing up the Constitution of America. The parallel was not a good one. Washington and his elders were confronted with an imperative necessity which they were compelled to meet with promptitude, and which was wished for by a great nation. But what was the necessity in the present case? What necessity was there for Home Rule to be passed into law this year or next year, or the year after that, or even for 20 years to come. If the Prime Minister had been true to his former life, he would have thought it necessary to have a true discussion of the provisions of the Bill, and then to let it be judged on its merits. The right hon. Gentleman the Chief Secretary for Ireland had spoken about the “aspirations of a nation.” What change, however, had there been in the condition of affairs since 1885? The case for Home Rule was the same, and the Irish Leaders, with one notable exception, were the same; nothing had altered, and nothing had been dropped by the Irish National Party. Their demand was for a full and satisfactory measure of Home Rule, but it was admitted even by the Nationalists themselves that this was not a full and satisfactory measure, and would only be accepted as the stepping-stone to the complete achievement of their objects.

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And they were to pass this Bill in order, to quote Mr. Butt, “to construct fantastic baby houses, or to frame political toys. It was in vain to expect that the English people would consent to pull the fabric of Government to pieces for the sake of giving us Home Rule.” That was the opinion of the father of Home Rule, but was that the opinion of the Irish Nationalist Party at the present moment? It was said that the Bill was perfectly safe, and that the President of the Local Government Board (Mr. H. H. Fowler) would not vote for it unless it were safe. Yet, as soon as Members began to investigate the safeguards with which it was said to bristle, the supporters of the Government remained silent, and the discussion usually ended in the Closure. This treatment of those who were anxious to grasp the supposed safeguards, and to find out what they really meant, reminded him of the dinner party in *Alice in Wonderland*. What had been the policy of the Government respecting the retention of the Irish Members? It had been a policy of change and vacillation all through. First the Irish Members were in; then they were out, then they were in again, and then they were out again, and now they were in once more. It was a policy of drifting, with Age at the prow, and 80 Irish Members at the helm. They were to have in the Imperial Parliament 80 Irish Members, who must always be a very strong force for any Government to contend against, and who would vote on questions in which they had absolutely no interest. Those Irish Members were to vote on English questions. They were to vote for the schooling of English children, whilst English Members were to have nothing to say respecting the schooling of their children, and they were to vote on taxes which they were not to pay. The Government talked of “finality.” What finality could there be when 80 Irish Members were left in the House with their Nationalist aspirations unsatisfied? Did the Government think these 80 Members were going to rest quietly in their seats when they had their duty as Representatives of a great “Nation” to perform? No; the result would be that Ireland would always have a strong and a determining voice in the Constitution of

this country, and in the constitution of the House of Commons. The right hon. Gentleman the Prime Minister, speaking at Manchester in 1886, said—

“I will not be a party to a Legislative Body to manage Irish concerns, and at the same time to having Irish Members in London acting and voting on English and Scotch questions.”

How must that statement have been cheered by the Liberals of Manchester, who liked strong things! Now he wondered, however, what they would think of the position. “Never,” said the right hon. Gentleman, throwing his cloak around him; and the Opposition said, “Hardly ever.” Then there was the question of finance. Not only were the Irish Members to remain in the House of Commons, but Great Britain was to pay very dearly for the not very great benefit of having them there. Under the Government scheme Ireland would pay over £500,000 less than at present, and over £1,500,000 less than she ought to pay, according to her taxable capacity. On the admission of the Government itself, the British taxpayers stood to lose at the outset over £500,000 as the price of setting up Home Rule. Not only was Great Britain to have the benefit of Irish Members interfering in the Councils and deliberations of Parliament, but she was to pay out of her pocket money to enable the Irish people to set up their own establishment, and yet be allowed to remain at Westminster. If the Irish people had anything to lose, were they going to lose anything at all for their loyalty to the principle of Home Rule? No; it was the British nation who had been betrayed on these questions, and it was the vital interests of Great Britain that were to be destroyed by this measure. The more they had been allowed to discuss the Bill the more the difficulties and the dangers of it had been brought to light, and to avoid further exposures the Government had resorted to an extraordinary expedient for the purpose of passing the Bill. The Prime Minister (Mr. W. E. Gladstone), the Chief Secretary for Ireland (Mr. John Morley), and the Chancellor of the Duchy (Mr. Bryce)—that extraordinary triumvirate of Prime Minister, philosopher, and professor; that trinity of disunity—were responsible for the imposition of the Closure. Fortu-

nately, the reign of the gag was brief. It did not go beyond those walls. The Government could not gag the “man in the street”; they could not close public opinion; they could not guillotine hon. Members when they addressed their constituents, and the constituents of the Government and their supporters. The Government had drunk deep of this cup of unconstitutional practice. Hon. Members would remember Balzac’s story of the *Peau de Chagrin*, the hero of which became possessed of a magical wild ass’s skin, which yielded him the means of gratifying every wish; but on every occasion on which he indulged in undue licence the skin shrank, and his life became less and less. On the same principle, Her Majesty’s Government had indulged in weekly bouts of unconstitutional debauchery, and their skin of life was shrinking more and more. Hon. Members opposite were never tired in defending the action of the Government with regard to the gag, and referring to the precedent of 1887, but they might as well compare Magna Charta with the present Home Secretary’s Pistols Bill, as the present occasion to that of 1887. It was no precedent at all, but the Government had by their action set an example by which any future Government, no matter how constructed, no matter what their majority, no matter how small, or how big, or how obtained, would be able to pass any measure, however feeble, through the House of Commons. That was the legacy, and the only legacy, which this Government would leave behind it. It was said that Home Rule was not separation. If not, what was it? As a matter of fact, it was worse than separation. Great Britain was cut off, and Ireland was not. The Irish Members would be able to take part in all British discussions and to enter into all British affairs, whilst British Members were to have nothing to do with the two Chambers in Dublin. This Bill had been thoroughly exposed. It had been born in deceit, nurtured in evasion, swaddled with the gag, and thrust upon the people’s Parliament unsanctioned by the people. He would read an extract, part of which, no doubt, was very stale, from a speech made by the Chancellor of the Exchequer (Sir W. Harcourt). The right hon. Gentleman said—

"Liberals must not be in a hurry to turn the Tories out. He would let them for a few months stew in their own Parnellite juice, and when they stank in the nostrils of the country, as they would stink, then the country would fling them discredited and disgraced to the constituencies, and the nation would pronounce its final judgment upon them."

He would say to the Chancellor of the Exchequer, if he were in the House—"Render unto Cæsar the things that are Cæsar's," but Cæsar was not there. He would, therefore, "preaching another man's sermon," only say that when the present Government stank, as they would stink, in the nostrils of the country the country would fling them discredited and disgraced to the constituencies and the nation would pronounce its final judgment upon them. That would be the end of this miserable travesty of legislation.

MR. J. E. REDMOND (Waterford): In offering to the hon. Member who has just sat down my congratulations on the interesting occasion of his maiden speech in the House, I may say I am sure he will acquit me of any discourtesy to him if I do not follow all the arguments he has used. I desire to occupy the time of the House for the briefest possible space, and therefore I will come to what I wish to say at once. I am glad that the frequent opportunities which have been accorded to me by the indulgence of hon. Members, of expressing my opinion both on the principle and the details of this measure, render it unnecessary for me on this occasion to occupy more than a very few moments indeed. I do not intend on this occasion to discuss the principle of the Bill or to criticise its details. In my opinion, the long time which has been spent in Committee has been well spent. The discussion, though it has been no doubt often marred by trivialities, by rancour on the part of a few and by a want of *bona fides* on the part of a great many, has still, on the whole, been a worthy discussion, and has thrown much light on a most difficult and complicated problem. We have, however, now arrived at the end of that discussion, and for the first time are entitled to look on this measure as a whole. So looking at it, I have no hesitation whatever in repeating the few words I used in this House on the very night, I believe, in which the measure was introduced and which to-day, as they did then, exactly

express my opinion on the merits of the Bill. I said then—

"In my opinion, this Bill is defective in some very grave and important matters. In some other matters it is gravely disappointing, and in the financial aspect it is not only ungenerous, but absolutely unjust."

I went on to say that, in my opinion, it would be the duty of Irish Nationalists to endeavour so to mould the Bill in Committee that it might become the settlement of the Irish Nationalist Question. Since I spoke those words the Bill has gone through the ordeal of Committee. We have endeavoured, using such opportunities as were afforded to us, so to mould the Bill that it would satisfy what we considered to be the necessary conditions of a reasonable settlement of the question. I regret now, at the end of all this discussion, to think that every single effort of ours in that direction failed. Those portions of the Bill which we regarded as objectionable and dangerous we voted against, but our votes were overborne; those portions which we considered faulty and defective we endeavoured to amend, and again our Amendments were rejected by the Government and by the overwhelming majority of the House. The changes which have been made in the Bill are, in my opinion, changes which, on the whole, are for the worse, and not for the better. It is a significant fact that almost every change which has been made in the Bill has emanated from men who are openly opposed to the principle of Home Rule, and who have openly boasted that their object in moving Amendments was not to improve, but rather to maim and destroy the measure. One result, and one result only, of the discussions in Committee, to my mind, is thoroughly satisfactory. As this Bill now stands, I maintain that no man in his senses can any longer regard it either as a full, a final, or a satisfactory settlement of the Irish Nationalist Question. The word "provisional" has, so to speak, been stamped in red ink across every page of this Bill. From one point of view, of course, I have been bound to regret this. I have always believed that one of the strongest arguments in favour of Home Rule among Englishmen is the hope that the passage of a Home Rule Bill into law would mean for them getting rid of the Irish Question, and from an Irish point of view I cannot help feeling

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that we can do nothing really effective to the amelioration of the condition of our people until full and unfettered powers over all purely Irish affairs are placed in the hands of Irishmen. But, Mr. Speaker, as far as this particular Bill is concerned, no doubt it is most fortunate that the result of the discussion in Committee has been to stamp its leading features with a temporary and provisional character, because I will say at once, without any concealment whatever, that were this Bill put before us—perhaps I had better say put before me, as I had better, perhaps, not profess to speak for anyone in this matter but myself—if this Bill were put before me as the be all and end all of the national aspirations of Ireland, if it were put before me as a full, final, and satisfactory settlement of the national demands, and if I were asked to accept it as such, I would feel myself bound to refuse to vote in favour of the Third Reading on those conditions. On the contrary, I would say that this Bill as it now stands cannot under any conceivable circumstances, if it passes into law, afford either a full, a final, or a satisfactory settlement of this question. It would not be a full settlement, for it leaves over for further consideration by the Parliament of Great Britain some of the most vital of all Irish interests, and withholds control over them from Ireland. It would not be a final settlement, because, in my opinion, of necessity no partial grant of autonomy can be final. Whether the experiment be successful and the Constitutional liberties of the people widen and increase, or whether it be a failure and those Constitutional liberties are narrowed or destroyed—in any case, no man can claim that such partial and restricted powers as are conferred by this Bill can by any human ingenuity be invested with any element of finality. I say also it would not be a satisfactory settlement. It would not, in my opinion, be satisfactory to England, because no settlement would be satisfactory to England which does not end, as it ought to end, this Irish Question, while no settlement can be satisfactory to Ireland which does not make Irishmen masters in their own country. So far as the restrictions on the powers of the Irish Legislature are concerned, for my part I have no objection on principle, up to a certain point, to such restrictions.

Every reasonable man must recognise the fact that very large masses of people in this country are profoundly distrustful as to the wisdom, the stability, and I would say the ability, which are necessary for Irishmen to rule themselves. But those who, like myself, have profound faith in the common sense, the moderation, and the abilities of our countrymen say—and we take a reasonable and a logical position I think—we do not object to restrictions such as many restrictions in this Bill on the powers of the Irish Legislature, because we know if once the experiment of Home Rule be fairly tried, the result of that experiment will be to justify and to necessitate the disappearance of those restrictions altogether. More especially do I say this with regard to those restrictions which are inserted in the Bill with the object of offering security to those of our fellow-countrymen who imagine that their civil and religious liberty would be menaced by an Irish Parliament. I can conceive of scarcely any restrictions having that object in view to which I would object, because I am so certain in my conviction that the almost immediate result of the working of Home Rule for a few years would be to show the absolute want of necessity for any of those restrictions, and the natural effect would be that those restrictions would eventually disappear. As long, therefore, as we are not asked to say, as we were in 1886, that this Bill is a full, final, and satisfactory settlement of the national demands of Ireland, for my part, I see no objection to going the longest way possible along the road to conciliation. The attitude I desire to take with regard to this Bill at this stage is well expressed in a resolution recently adopted at a gathering of Nationalists held in the City of Dublin.

“The manifest injustice of the financial provisions, the constitution of the proposed Legislature and the degrading and petty restrictions with which its action is hampered, the reservation to the Imperial Parliament of the power to impose and control Irish taxes, and of power over so many Irish interests of paramount importance in the development of the nation, coupled with the reduction of the Irish representation in the Imperial Parliament during the period of such reservation, leaves little beyond the mere assertion of the principle of Home Rule to commend the present Bill to Irish Nationalists, and renders it impossible of acceptance as a full, final, and satisfactory settlement of the National question.”

Every one of the objections mentioned in the resolution were dealt with by my hon. Friends and myself in Committee as far as opportunity permitted. Unfortunately our views and votes were overborne. With regard to the financial part of the Bill, if in every other detail the Bill were satisfactory, that part of the Bill is so grave and faulty that it would be impossible for me to allow the Third Reading to go without uttering a protest and making it clear that my vote cannot be held as approving that part of the scheme. It is not merely that Nationalists regard the Financial Clauses as ungenerous, in view of the past history of the two countries and in view of their great disparity in wealth; it is not merely that they think the Financial Clauses to be unjust, and that under them Ireland will be practically robbed of millions of money; it is the practical ground that they believe it to be impossible to govern Ireland successfully under these Financial Clauses. The effort to govern Ireland under the proposed scheme will not merely make it absolutely impossible for the Irish Government to enter upon those works for developing the resources of the country and for improving its material condition which would stop the tide of emigration and make the people comfortable and happy in their own houses; not only would it negate that possibility, it would bring about national bankruptcy. Under these circumstances, it may be asked what Ireland will gain by the passage of the Bill through the House of Commons, in view of the fact that it is to be rejected by the House of Lords in a few days. The value I attach to the passage of the Bill by the House is that it will mean that, after nearly a century of struggle, after the wasting of innumerable lives, the spilling of much precious blood, and the enduring of much misery, Ireland will at last have obtained from the Representative House of the masses of the British democracy a reversal of the policy of the Act of Union, and the solemn affirmation of the principle of Irish self-government. That principle may be rejected to-morrow by the House of Lords; but its affirmation by the House of Commons will stand on record, and, as far as I know, the affirmation of no great principle such as that which is undoubtedly contained in the Bill has been

*Mr. J. E. Redmond*

given by the House without its sooner or later finding its way into the Statute Book. The passage of the Bill by the House means the certain and speedy enactment of Home Rule for Ireland; and if indeed it should happen, as probably it will, that the Irish people have yet to endure another period of hope deferred and of oppression, they will be sustained by the consciousness that the inevitable end of their sufferings is at hand, and that the measure of their liberties will in all human probability be all the greater, wider, and more generous because of the futile delay which is now interposed by the Representatives of the very classes in whose interests Ireland have been so long and cruelly misgoverned. Whatever vicissitudes may be ahead—and the prospect has shadows and darkness enough—for my own part I feel perfectly confident of the future of Ireland. I regard it as absolutely secure and beyond the reach either of the selfishness of class or of the prejudice of ignorance. It will be a future of freedom, prosperity, and honour. John Henry Newman, one of the greatest Englishmen, in speaking of Ireland, used these beautiful words—

“I look towards a land both old and young—old in its Christianity, young in the promise of its future. A nation which received grace before the Saxon came to Britain, and which has never quenched it. I contemplate a people which has had a long night, and will have an inevitable day. I turn my eyes to the future, and I see the island I am gazing on become the road of passage and union between two hemispheres and the centre of the world. I see its inhabitants rival Belgium in populousness, France in vigour, and Spain in enthusiasm; and I see England taught by advancing years to exercise in its behalf that good sense which is her characteristic towards everyone else.”

It is because I believe that the latter part of this picture will be fulfilled that I shall, with a light heart, and in spite of all the Bill's defects, vote in favour of the Third Reading.

\*MR. COCHRANE (Ayrshire, N.) said, he wished to call the attention of the hon. Gentleman who had just spoken to the fact that besides the point of view which he advocated there was also the point of view of the rest of the United Kingdom to be taken into consideration. There was not only the English, but there was particularly the Scottish point of view. In Scotland they had no ill-will at all towards Irishmen; on the contrary,

they entertained the best wishes possible towards the Irish people, and were their demands for some scheme of self-government similar to that which was enjoyed in Scotland and in England—fully as wide, and possibly wider—they would find an immense deal of support amongst Scottish Unionists. There was a practical point of view from which they looked on this question. They saw that this measure of Home Rule, on which 82 days had been expended, had absolutely obstructed all those social and industrial measures upon which they in Scotland were particularly set, and that in the arrangements which were proposed under this Bill, instead of seeing an end to the Irish Question, they discovered in it a long vista and a long future in which those questions in which they were deeply interested would be placed in the background. The Prime Minister told them in 1886 that in any scheme which he should propose, the political equality of the three countries must be maintained, and it was in this respect that Scotland suffered a peculiar and extra hardship. The Members returned for English constituencies would number 495, and from Scottish constituencies only 72; whereas there would be from Ireland, which would have a Parliament of its own, 80 Irish Members in this House, who would have an overwhelming voice so far as Scottish affairs were concerned, and in regard to them would be entirely irresponsible to any constituency. That, he thought, was an important consideration, and he believed when the notice of the Scottish constituencies was brought to the fact that their nation would be absolutely swamped, they would regard it as a matter which was absolutely monstrous and intolerable. The Irish Members would have the opportunity of doing what no Scotsman would permit—that was, of putting their hands in the pockets of the Scottish people; of dealing with their Budgets, and assisting in making Scottish laws. In Scotland they did not relish such an idea. They would have Donegal, with its mass of illiterates, dictating to the citizens of Aberdeen, where there was scarcely a percentage of illiteracy, upon educational questions, and they would have the followers of Archbishop Walsh dictating to the descendants of John Knox as to the establishment or disestablishment of the Church. This

opened a vista on which they could not but look with horror and disgust. When they took into consideration the fact that the Irish Members were to be retained in the Imperial Parliament, and also what were the financial proposals under this Bill, it would be found from the Scottish view that there was a very serious question for consideration. They were assured that by passing the Bill they would secure the gratitude of hon. Members opposite; but was that gratitude likely to be anything more than a lively sense of favours to come? In dealing with the Financial Clauses, the President of the Local Government Board laid down the principle upon which the finance of the Home Rule Bill was to be conducted. He said that the principle of the scheme was to bring out, as nearly as possible, Ireland's normal contribution under the new system of Home Rule government, and the amount she contributed under existing financial arrangements. If Scotland were to pay in future under Home Rule what she paid at present, Scottish Members would look at the matter from a different aspect than they did at present. The First Lord of the Treasury laid down in 1886 what he considered was the right method of assessing the proportion of wealth in the three countries, and his rule was that the measure was the amount of property assessed for the Death Duties. If they took that as the measure, they found that the proportion of wealth in Scotland to the proportion of wealth in Ireland was about 7 to 4. Scotland paid in contribution to the Imperial Exchequer nearly £7,000,000. Therefore, in the proportion of 7 to 4, Ireland should contribute about £4,000,000 per annum, instead of the net result, which worked out at about £1,500,000. That would show the inequality that would exist under this Bill. Not only would the Scottish contribution be stereotyped, and they would go on paying too much, but they would in addition be burdened with the amount which was to be paid to Ireland as the contribution for the police and collection of taxes. Under this arrangement the proposed contribution from Ireland would be about 6s. 6d. per head, and the contribution from Scotland would be about 34s. 6d. per head. He hoped that when Scottish Members went

to their constituents, and talked about a Scottish Home Rule scheme, they would bring out the fact that they had laid down as the principle upon which Home Rule should be granted, that the contribution to the Imperial expenditure should be based, not upon what was fair, and just, and right, and what the wealth and the population were entitled to pay, but that it should be simply what each country was paying at present. The hon. Member for North Aberdeen, who took a forward part in the Scottish Home Rule movement, introduced a Bill to give Home Rule to Scotland, and wrote an interesting pamphlet to explain the Bill. He said the Bill was backed by 12 Scottish Members, the largest number permitted by the Rules of the House—which he (Mr. Cochrane) supposed was meant to express the opinion that there were more than 12 apostles of Scottish Home Rule—and that

“The principle that people should be taxed according to their means was so obviously just that it had become a common-place with writers on political science. There might be some difficulties in applying the principle, but the principle itself was incontestable, and would not be contested.”

The hon. Member laid down the principle which, in a Home Rule measure, could not be contested, that the measure of the wealth of the country and the population should be taken into consideration, and yet, when it came to an Irish Home Rule Bill, he and the hon. Members who supported him in the Scottish Bill voted for the principle laid down by the President of the Local Government Board, which was totally opposed to the principle which they themselves supported in their Scottish Home Rule Bill. That was one of those instances of inconsistency of which the House had seen a great many. He thought that when those hon. Members went back to their constituents, and explained what they had done, their constituents would understand how it was their requests for a financial inquiry into the position of Scotland were put in such a milk-and-water fashion, and received no recognition from the Prime Minister, until he was compelled to pay attention to the representations that came from the Unionists. If the people of Scotland obtained a proper explanation of these financial arrangements they would express their feelings very strongly to their Home Rule

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Representatives. As to the safeguards for the minority, that was a question which interested them in the West of Scotland very deeply. They knew the minority had taken, and would take, every possible constitutional means to call attention to their feelings, and their Representatives had told them that the safeguards were illusory, and did not exist. They in the West of Scotland deeply sympathised with them, and regretted exceedingly that this Bill had not carried out the promise of the First Lord of the Treasury, that he would introduce adequate safeguards for the minority. The hon. Member for Waterford had just told them that the Bill could not be accepted as a final settlement, and the Opposition were consequently justified in asserting that it did not contain those provisions which were laid down as essential by the Prime Minister in 1886.

\*DR. MACGREGOR (Inverness-shire) said, he hoped he would be in Order to-day in making a few remarks more or less having a bearing on this Bill. Last week, when he was very properly called to Order, he in the hurry of the moment attributed a quotation to Sydney Smith which he now found was not the work of any Smith, but a Pope's bull. When he sat down, he was on the point of agreeing once again with the right hon. Member for West Birmingham. He said “once again,” because at one time he used to agree very much indeed with all his utterances. At that time he regarded him as his *beau ideal* of a Democratic Leader—the coming man, in fact—but the Member for West Birmingham had gone over, not to the majority, but to the minority. He had gone over to a class that toiled not, neither did they spin. He ventured to say that the reputation of the right hon. Gentleman would have been better regarded if he had paid more attention to the cultivation of the orchid than to the lily. However, he was inclined to agree with the right hon. Gentleman once again, and it was in this respect. Not long since the right hon. Gentleman expressed the opinion that as the legal magnates of the House had spoken, the lay Members of the House should now give their judgment. In this respect he agreed with the right hon. Gentleman. His verdict was that Home Rule was now inevitable, not only for Ireland, but on



Federal lines. It would be just as easy to sweep back the Atlantic with the proverbial broom as it would be to stop the tide that was now steadily flowing on to government by the people for the people. That being the case, he could not understand why so much opposition was exhibited in a certain part of the House. It would be more prudent on the part of the Opposition if they were wise in time, and made such concessions as would conciliate the democracy, and perhaps prevent a revolution of much greater magnitude than they were threatened with. He always understood that the functions of the Opposition was honest criticism, but he now found it not only to mean obstruction, but destruction of the measures of the Government; and he thought it was unworthy of the Mother of Parliaments to waste the time of the country in this fashion. He only wished to say in conclusion, on this the Third Reading of the Bill, that his profound conviction was that Home Rule for Ireland was not only just, but reasonable and necessary.

MR. CHAPLIN (Lincolnshire, Sleaford): I have been so pointedly challenged by the Prime Minister in the course of his speech that I may, perhaps, be allowed to intervene for a few minutes. I was, unfortunately, not in the House when the right hon. Gentleman commenced his speech; but I will reply to what I did hear, and to what I gather from my friends was the material portion of the observations made. The House will remember that the question of the testimony of foreign authors in regard to the government of Ireland by England was raised, in the first place, on the First Reading of the Bill by the Prime Minister, and there was likewise discussion upon it in the Second Reading Debate. I may remind the House of the original statement by the Prime Minister to which I took exception. It was to this effect. On April 6 the right hon. Gentleman said—

“I ask whether in the whole history of the world, amongst the thousands of authors who have touched upon the relations between England and Ireland, there is so much as one who had ever denied the impolicy, and injustice, and scandal of the management of the Irish Question by the predominating power of this country”?

The House will observe there was nothing in the statement limiting the authorship to foreign authors. I came down to the House on the Second Reading armed with a number of English authorities in order to confute him, but when I proceeded to quote them the right hon. Gentleman said he referred to foreign authors alone. I frankly own I was not so well prepared as I otherwise might have been had I understood the view of the right hon. Gentleman. On this particular point the right hon. Gentleman has been rather prejudiced and partial, and the wish, no doubt, has been with him father to the thought. The right hon. Gentleman, in the course of his speech, adhered to the statement which he made on a former occasion. I will supplement what I said before regarding the views of two men of eminence, whose opinions are entitled to the highest respect. The first which I will quote is M. Guizot, from a work written by himself, and entitled, *History of England from the Earliest Time to the Accession of Queen Victoria*, translated and published in 1882. M. Guizot, who died, I think, in 1874, was a man of great distinction. He was Foreign Minister in France from 1840 to 1848, and must have been well known to the right hon. Gentleman. He speaks of the Union as follows:—

“Henceforth the Union of Ireland and England was definitive, advantageous, and efficacious for both countries alike, in spite of the difficulties it had still to meet with.”

That was M. Guizot. Now I am going to quote another eminent authority, who, I think, has expressed opinions which justify me in using him in contradiction to the statement of the right hon. Gentleman. I refer to M. de Laveleye, a great writer on economics, and who, being the leader of the Bimetallic Party on the Continent, I am disposed to regard with greater favour. M. de Laveleye, in *Le Gouvernement dans la Démocratie*, published in 1891, dealing with the question of nationalities, quite incidentally remarks—

“Even England is not escaping from national claims. The Irish, under the name of Home Rule, are demanding a complete autonomy. . . . If Home Rule is to be synonymous with a separate Government and a complete autonomy, it will hand Ireland over to the Catholic clergy, and will bring back persecution and civil war, with all its horrors.”

But M. de Laveleye was well known long before 1891, and was held in great esteem by a high authority in this country. In 1875 he published a pamphlet, entitled *Protestantism and Catholicism*. This book contains some passages, I am bound to say, very derogatory to the influence of the Roman Catholic religion as compared with Protestantism in Ireland. I may quote one sentence—

“Since the Scotch have embraced the Reformed religion, they have outrun even the English. The climate and nature of the soil prevent Scotland being as rich as England; but Macaulay proves that, since the 17th century, the Scotch have in every way surpassed the English. Ireland, on the other hand, devoted to Ultramontaniam, is poor, miserable, agitated by the spirit of rebellion, and seems incapable of raising herself by her own strength. What a contrast, even in Ireland, between the exclusively Catholic Connaught, and Ulster, when Protestantism prevails. Ulster is enriched by industry; Connaught presents a picture of desolation.”

Now, that may or may not be a fair description of the state of things which prevailed in Ireland at that time; but, at all events, M. de Laveleye was asked by a very distinguished man to translate the work into English, and this distinguished man also wrote a preface to it, in which he speaks of the writer as “a Belgian of known liberality and tolerance.” Who was this very distinguished man I have referred to? It will interest the House to know. I turn to the beginning of the book, and find that the preface ends in these words—“I remain, dear M. de Laveleye, most faithfully yours, W. E. Gladstone, 23 Carlton House Terrace, May 26, 1875.” So here we have a foreign authority of “known liberality and tolerance,” according to the right hon. Gentleman, who, so far from admitting the impolicy, the scandal, and injustice of the management of Ireland, and the preponderating power of England, is apparently of opinion that if the present state of things is to be reversed, and the policy of the right hon. Gentleman adopted, it “will bring back persecution and civil war, with all its horrors.” That is an opinion which, I think the House will agree, justifies pretty fully what I said on a former occasion. I now come to the opinions of Count Cavour, and I am bound to say that if anybody has a right to complain of the way in which Cavour has been represented in

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this House it is I, and not the right hon. Gentleman. I desire to vindicate myself in the matter, and, in doing so, I am afraid I shall have to make four or five quotations, and detain the House for a few minutes. The first is on page 19 of his work—

“But, putting aside the appreciation, and the merits of those who took part in the Act of Union, let us examine this measure in itself, and let us see if, in fact, it has been unjust and iniquitous towards Ireland, and if it deserves all the hatred which it excites, even at this day, all the vituperation which O’Connell and the orators of the popular Party lavish upon it without ceasing.”

Then he goes on to refer to the economic relations of the two countries, which he describes as irreproachable. The right hon. Gentleman said that, as regards religion, Cavour stated that the Union made the condition worse. But he omitted the next sentence, in which Cavour says—

“The points I have now examined are only subsidiary. The essential provisions of the Act of Union are those which regulate the proportion of the political power reserved to each of the two countries, and the manner in which the public burdens are divided between them.”

And, in the second place, he says all religious grievances have disappeared. At page 28 he says—

“After 1800 Ireland was governed, like the rest of the British Empire, by the three Estates sitting at Westminster. Did the great majority of that country, the Catholics especially, lose much by this political change, and have they had serious reasons to regret their National Parliament? This cannot be maintained.”

And then he goes on to argue the question at some length, and he concludes in these words, which are entirely conclusive of the case against the right hon. Gentleman—

“Therefore it is that, all things considered, I must regard the Act of Union, in spite of all its defects, as an event at which humanity must rejoice.”

So that we are confronted with this extraordinary position—that while an illustrious man describes the Union “as an event at which humanity must rejoice,” we have another illustrious man—a man, perhaps, more illustrious—in the year 1893, denouncing the Union as one of the greatest acts of blackguardism perpetrated in the history of Europe.

MR. W. E. GLADSTONE: No, no! That word “blackguardism” was used in a private letter, and that letter was pub-

lished as to that word without my knowledge. But the word is a strict and accurate description of much that took place as a means for procuring the Act of Union. It did not refer to the Union itself.

MR. CHAPLIN : I will not press that point. I should be sorry to pin the right hon. Gentleman to an expression in a private letter which was never meant to be made public. I turn to Cavour again, because he has shown in another part of the work the enormous difficulties with which any statesman must be confronted who tried to carry out the scheme of the right hon. Gentleman, and to establish a Parliament in Dublin. Difficulty after difficulty are mentioned—many of which were, indeed, mentioned by the right hon. Gentleman himself when he made his first statement on Home Rule in 1886, and more particularly in connection with the question of the retention of the Irish Members. In fact, when I became acquainted with Cavour's work, I thought that many of the arguments used so successfully by the right hon. Gentleman against the retention of the Irish Members must have been taken from this great authority. What was wanted, Cavour said, was

"The creation of a National Parliament . . . in which the Catholic and popular element should have an incontestable preponderance."

And here he points out that

"We see numberless difficulties arise, which neither O'Connell or any other Irish orator has yet attempted to resolve. If in the British Constitution the functions of the Parliament were purely administrative; if, even, it did not extend beyond the sphere of legislation, we might manage to understand the co-existence of two independent Legislatures, sitting one in London the other in Dublin. But everyone knows that in England the Parliament has the preponderating influence on the Executive power; that foreign and colonial policy is subject to its control; that nothing of serious importance is done without its approval and sanction. That being so, how can these high functions be divided between the legislators of the two countries? How can their independent action be harmonised? I do not think that it is possible to devise for this end any means that can resist a few minutes' examination.

This was precisely the expression of the right hon. Gentleman in his famous statement in 1886, when he declared that it passed the wit of any man to devise any satisfactory scheme for this purpose. And now I wish to say a word upon the

quotations from illustrious men made use of by the right hon. Gentleman himself. He quoted, if I understood him aright, one passage from Cavour as actually in support of the policy which is now before the House. The passage I understood him to quote was that in which Cavour says that,

"In support of what I have said, I will only cite the moderate, liberal, and generous conduct of the Cabinet of Sir Robert Peel towards Canada."

And this quotation was loudly cheered by the supporters of the right hon. Gentleman. But does the right hon. Gentleman mean to say that Cavour referred to a National Parliament when he used these words? Nothing of the kind. I turn to the context; and the context shows conclusively how entirely his meaning has been misrepresented. Cavour says—

"In fine, I shall be asked what conclusion is to be drawn from all the reasoning by which I have endeavoured to ascertain the present state of the questions relating to the condition of Ireland. In the first place, I have a firm conviction that Repeal would not be effected. But I shall next, perhaps, be asked—What, then, will happen?"

And what will happen he describes in these words—

"It is probable the present Ministry and those which shall follow it will apply to Ireland the system of amelioration of reform which Lord Melbourne was the first to adopt on a broad basis."

And then he asks—

"What will be the final result of these progressive and moderate reforms? . . . These are grave questions, which only the future can resolve. I hope, and I ardently desire, that the solution will be favourable to that Ireland which is so worthy of interest, and which inspires so deep an attachment. May the real progress which the efforts of honest men of all Parties, aided by time, must accomplish, compensate her for the loss of those brilliant dreams of National independence that she can never realise."

These are the words of Cavour in his work. Now, Sir, I will not dwell further upon that subject. I am perfectly content to leave to the House, and to the public outside the House, to determine whether I have misrepresented Cavour in the Debate on the Second Reading of the Bill, and whether it is not the right hon. Gentleman who has placed a wholly erroneous interpretation upon Cavour's opinions this afternoon. Perhaps I may be allowed to add a few words in regard to some other

aspects of the question. I do not wish to say much on the subject of the Bill itself, about which the House and the country have, I think, heard quite enough by this time. But I do want to say a few words upon some of the incidents which have marked the passing of the Bill through the House, and upon some of the methods by which the Government have endeavoured to force it through. The passage of this Bill has certainly been signalised by various incidents and episodes which are not by any means uninteresting. I cannot say that the Liberal Party has gained any strength or any popular support in the country during the time which has been occupied in passing this Bill. As a general rule, we have frequent opportunities for forming some opinion, more or less accurate, of the estimation in which the Government is held in the country through the results of the bye-elections. Bye-elections of late have been singularly few; but, notwithstanding that, I find that since this Bill was laid on the Table of the House of Commons, and since the discussions have been carried on, the Government have lost no less than three seats. But if the losses of the Liberal Party have been few, owing to the cause I have mentioned, the desertion from the ranks of their supporters have been much more numerous. They have lost during the passage of this Bill, in addition to their losses at the bye-elections, seven of their supporters, who have declared their hostility to the measure in the form in which it stands at the present time. In addition to these, there has been one resignation on the part of a Member of the Government—though, I admit, a Member of the Government not occupying a very important position.

MR. ASQUITH: Who?

MR. CHAPLIN: Lord Wolverton. He was a Member of the Government, and he resigned because he disapproved of this Bill. The Chancellor of the Exchequer snorted something between contempt and defiance at that. But in spite of that, and of the scoffs of the Home Secretary, the defections from Her Majesty's Government would have been much more numerous were it not for one powerful and prevailing reason. Hon. Members opposite know very well that the defeat of the Government would have led to a Dissolution, which would, in all

probability, have meant the exclusion of many of them from this House. We have also witnessed the use of the weapon called the gag by the Government to a degree which is absolutely without precedent, and which was never contemplated by its authors, or by the House of Commons at the time it was accepted by Parliament. It has been, in my humble opinion, destructive of free speech, and this evil precedent having been once set, it will become more and more dangerous and destructive to the freedom of Parliament in the future. One of the most deplorable and unfortunate results of the reckless use of that weapon by the present Government was the disgraceful scene which we witnessed in the House not so long ago, when certain Members of this great and famous Assembly came to blows. That episode resulted more or less directly from the use of this weapon by the Government. In my opinion, that scene has made the existing House of Commons unworthy of the continued confidence of the country, and unfitted to transact in future such serious business as that in which we are engaged, and the only mode of purging the House of such an offence would be the immediate Dissolution of the House which has been guilty of such an abominable act. The right hon. Gentleman the Chancellor of the Exchequer—and he is probably the only person animated by such feelings—thinks that deplorable incident a proper subject of amusement.

SIR W. HARCOURT: No; I only laughed at the observation of the right hon. Gentleman.

MR. CHAPLIN: You can explain yourself afterwards at whatever length you please before this discussion closes. I do not wonder much at the dissensions in the ranks of the supporters of the Government when we recollect the methods by which the Bill has been conducted. I venture to say that no Bill ever submitted to the House has been the subject of so much concealment—I had almost said so much sharp practice—towards Parliament and the country as this Home Rule Bill. We have only to remember what has happened in connection with the question of the retention of the Irish Members. Everyone knows what has occurred in respect to that matter. We recollect the emphatic and unqualified declaration

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made by the Prime Minister very shortly after his defeat in 1886 that he would not be a party, if there was to be Home Rule in Ireland, to the Irish Members coming here to Westminster to interfere with Scotch and English business. Then there was that unfortunate episode which occurred when Mr. Parnell had an interview with the right hon. Gentleman. Mr. Parnell declared that it was agreed upon that any difference of opinion in the Liberal Party as to the retention of the Irish Members should be carefully concealed pending the General Election.

MR. W. E. GLADSTONE: Till the General Election.

MR. CHAPLIN: That is what I complain of; that it did not end at the time of the General Election. This concealment has been carried on absolutely to the very last day, and until it was not possible to conceal it any longer.

MR. W. E. GLADSTONE: No, no!

MR. CHAPLIN: The right hon. Gentleman must forgive me for differing from him on this point. I do not make this statement without being able to give chapter and verse. Here is his statement on the 30th May, 1893, and I presume the right hon. Gentleman is referring to the 9th clause, which he said—

“It is our intention to propose, and to do our best to induce the House to accept.”

[MR. W. E. GLADSTONE: Hear, hear!] Yes; but he never did it. Did you ever propose the 9th clause to the House of Commons? Nothing of the sort; the right hon. Gentleman is entirely in error, and in complete forgetfulness of what passed with regard to his own Bill. Questions were over and over again put to him, and he was asked as to what his intentions were; but he never would tell us anything about it until the day before the question of the 9th clause was settled. Then when the Resolution for the gag had been successfully passed, with the full knowledge that the question could only be debated for one day, then he did tell the House of Commons, and this was the first occasion upon which we were really allowed to know their true intention on this question. This was the first occasion upon which the policy of concealment was departed from, and only on the night before the whole question was to be settled by the gag did the right hon. Gentleman acknowledge that the 9th clause was not to be

proposed as he had declared it would be; that the House of Commons was not to be asked, and the Government were not going to do their best to induce the House of Commons to accept it, as he declared they would do, but that, on the contrary, he was going himself to propose the propositions which are now contained in the Bill, and which are absolutely different to the 9th clause as it was introduced. I do not think it requires much of a magician to know why the policy of concealment was carried on so long, because if the country had known for a single moment that the right hon. Gentleman had always had this in his mind — that although you were going to have a Parliament in Ireland which all the Irish Members might attend, but which the English Members might not attend, yet, at the same time, the Irish Members were to come to Westminster, interfere with, manage, dominate, and practically control all our affairs in this country, do you mean to tell me, if the English people had known that at the time, you would ever have had the slightest chance of a majority at the last Election? You know perfectly well your chance would have been hopeless, and I think I can tell you something more if you do not know it already. It is this very proposition which is now contained in the Bill, which will be absolutely certain, if nothing else does, to insure your defeat by a triumphant majority at the next Election. I would like to ask this question—How far does this Bill fulfil the pledges of its authors, and the conditions which they laid down as absolutely essential to the vital parts of any measure to which they would agree to be party? There is the question of supremacy, of unity, of the division of burdens and of finance, which have been so frequently discussed already that I will not say anything further upon them on this occasion. There are two questions only to which I do wish to refer for a moment. One is as to the safeguards for minorities, the other that this shall be a final settlement of the question. As to its being anything whatever in the nature of a final settlement, as to its being anything whatever in the nature of a settlement at all, I contend that in the present shape of the Bill that if absolutely impossible, and the Government must be perfectly well aware on

it themselves, and for two reasons. In the first place, you reserve some of the most important subjects in connection with this Bill altogether for future consideration. There is the question of the land, the question of finance, and the question of the Constabulary which you have reserved. And, in the second place, you are going to maintain 80 Irish Members still in the House of Commons at Westminster. Now, one of the main reasons by which you have always supported the Bill has been this—Ireland, you have said, blocks the way, and until that difficulty is got rid of it will be absolutely impossible to transact British business in a satisfactory manner in the House of Commons. Why is it to be better in the future? The great difficulty which has always stood in your way—the presence of the Irish Members—is to be maintained. As far as I can form any opinion—as far as any unprejudiced person, I think, can form an opinion—this difficulty appears likely to be in future worse than ever; and it is no answer for the right hon. Gentleman when dealing—or professing to deal—with this among many other objections raised this afternoon, to turn round to the House of Commons and meet it by a joke about Lady Mary Montague and the word “not.” That is the only contribution of the right hon. Gentleman which can be supposed, by any stretch of the imagination, to dispose of the arguments used by the Opposition. I suppose it is perfectly useless to remind right hon. Gentlemen opposite of what they have said in former days upon these subjects. They are perfectly deaf, it appears to me, to all remonstrance from this side of the House when they are directed to the solemn declarations which they have made themselves. But whether they are deaf to it or no, I am going to remind the Chief Secretary to the Lord Lieutenant and the Prime Minister of two things they have said on this subject. I remember a speech delivered at Chelmsford upon the 7th January, 1885, when the Chief Secretary made this statement—

“I want order in Ireland, and I want power in the House of Commons at Westminster. Do what you will with your Rules of Procedure, you will not have restored the old British Parliament. You will not have made the British people master in its own House until you have devised some scheme or other which will re-

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move the Irish Members from the British House of Commons.”

Was it not one of your main claims for the support of this Bill that by what you were going to propose you would make the British people master in its own House, and you would have restored the old British Parliament? What escape have you from that position? These were the sort of statements you made to the country, and upon the faith of which the country have accepted you and your policy with regard to Ireland, and now you throw all your old statements to the wind without the slightest feeling of compunction, much less of remorse. I think the charge against the Prime Minister is even more serious, because there is, in my judgment, no more binding or solemn statement which can be made by a man in his position than is contained in the electioneering address he put before the country at the time of a General Election. The country has a right to believe when the Prime Minister—or, indeed, any Member of Parliament—puts before his constituents and the country the various points of his policy in an electioneering manifesto, that he has every intention of abiding by them and carrying them out. What did the Prime Minister say on this very point of the freedom of Parliament in 1892? He said—

“I now say it is a proposition which set both Parliament and Ireland free, Ireland for the management of her own domestic affairs by a local Legislature in close sympathy with Irish life, and Parliament for the work of overtaking the vast arrears of business and supplying with reasonable despatch the varied legislative wants of England, Scotland, and Wales.”

How was this to be done? By getting rid of and by settling the question. It was then to be a final settlement. It was held out to the country that it was to be a final settlement of the Irish Question which it is now acknowledged is not to be final, or anything of the kind—  
[Mr. W. E. GLADSTONE: It is not acknowledged.] You may be stupid as much as you like, but you will be obliged to acknowledge that what the right hon. Gentleman indicated in the quotation I have read could only be attained by a final settlement, and also, and above all, by the exclusion of the Irish Members from this House. [Mr. W. E. GLADSTONE: No.] That was part of the policy you put before the country at the time. [Mr.

W. E. GLADSTONE: No.] Then what was the meaning of the words? How were you going to obtain freedom for Ireland and freedom for Parliament as well? There is no meaning to the words unless it be the meaning that I have submitted to the House. There is one other subject upon which I had desired to say a few words, but I am sorry to say I have left the papers I had behind me. With regard to the safeguards for minorities, I desire to call attention to what seems to me one special cause of complaint by one class in Ireland, at all events, against the proposals of the Government. After all the various Members of the Government have said upon this subject, there is no class in the country that has been so abominably treated or so grossly deceived as the Irish landlords. The Irish landlords are in future with their fortunes—I might say almost their lives—to be placed at the mercy of an Irish Executive in that country. The right hon. Gentleman was so conscious in former days of the extreme hardship of this position and of the wrongs it would inflict upon them that he did not scruple to declare it to be an obligation of honour and duty upon his part to make provision to safeguard the rights of the Irish landlords if the policy of Home Rule was carried. Since then I am aware he has stated that the observations he made then applied strictly only to the circumstances of 1886. I am at a loss to know in what respect the position has varied since 1886. The dangers to the landlords are not less; the obligations of honour and duty appear to be as great as at that time. Similar statements were made by the Colleagues of the right hon. Gentleman—by Lord Spencer and by the Chancellor of the Duchy of Lancaster. What has become of all their declarations upon this point? On that, Sir, no doubt, Lord Spencer will be challenged, and will have to answer for himself in another place; but the Chancellor of the Duchy ought to have answered the challenges made to him over and over again in this House, and which he has never attempted to meet. I am afraid I have not got the quotation of what the Chancellor of the Duchy wrote upon the subject, but I recollect the tenour and effect perfectly well. He declared we should be ashamed to look any other country in the face, unless either prior to, or concurrently with, the

passing of the Home Rule Bill we had taken measures to insure the rights of the landlords. Then I know we are met in this way. We are asked from that side of the House—"What are you afraid of? Why do you mistrust the Irish Members? What is the great danger that you apprehend at their hands?" The answer is perfectly simple. We do not trust the Irish Members, first, because we believe what these gentlemen themselves have said on the subject; and, secondly, because we believe what you have said about them. Everybody knows the old statement of the right hon. Gentleman that a small body of men had arisen in Ireland who preached and practised the doctrine of public plunder. We have always contended that it is from Representatives of that small body of men, who, as far as we can judge, will be Members of the new Irish Executive, that the dangers to the Irish landlords are to be apprehended. The right hon. Gentleman, when challenged on one occasion by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), denied that he had made any allusion whatever to anybody except to Mr. Parnell, and he stated that he had never identified—[Mr. W. E. GLADSTONE: Never marked any individual]—or identified anyone except Mr. Parnell. He had, he said, identified none of them with Mr. Parnell's policy at that time. I am very sorry I have not got the quotations with me, otherwise I would have been able to bring home to the mind of the right hon. Gentleman that he is in error. I recollect a great speech the right hon. Gentleman made at Leeds, in which he rated Mr. Parnell most soundly, and in which he announced to the people of England that the resources of civilisation were not exhausted. A week afterwards, at the Mansion House in London, the right hon. Gentleman said that that very day he had heard that the man who was responsible for this anarchical oppression in Ireland—I think those were the terms—had been arrested and placed in gaol. This was the first step towards carrying out the resources of civilisation and giving back freedom to the Irish people. That happened on a certain 13th October, and that was the first step taken by the right hon. Gentleman. What was the second? On October 14 he imprisoned the Member for North Kerry

(Mr. Sexton) and the Member for Mayo (Mr. Dillon), and on the 15th he imprisoned the Member for Cork (Mr. W. O'Brien). If they were not identified with the policy of Mr. Parnell, for what were they imprisoned? I venture to say, with all possible respect to the right hon. Gentleman, if he will make a review for himself of all the circumstances which occurred at that time, to say that he did not identify any individuals of the Irish Party with Mr. Parnell and his policy because he did not identify them by name, is the greatest quibble that ever was uttered in the House of Commons. And it is, Sir, to these men, without the slightest safeguard whatever, that in face of all your pledges, and all your promises on this subject, you are going to abandon the Irish landlords without the slightest regard whatever. I do not wish to use strong language either on this or any other point; but I must say it does seem to me to be the most cruel, the most uncalled for, and the basest betrayal of the interests of a class that I can ever call to mind in the annals of the House of Commons, taken in connection with the statements made over and over again by the right hon. Gentleman opposite. Sir, the right hon. Gentleman when he sat down this evening ventured to hazard a prophecy with regard to the future of this question. He stated, if I heard him aright, that in his humble judgment the passing of this measure through the House of Commons would constitute a great factor, which must tend and inevitably lead to the certain and not distant triumph of this question. I venture to hold a totally different opinion. What I think, and what I am convinced of, is this: That when it comes to be known how you have forced this measure through the House of Commons, when the methods of mystery and concealment, and of the arbitrary use of your power in the House of Commons, are realised by the constituencies in the country, your policy will meet, at their hands, with such just and such emphatic condemnation, that both Parties in the State—whichever Party may be tempted to deal with this question in future—will think not once, not twice, nor thrice only before they endeavour to settle, in a manner like this, the great questions which have agitated so long England and Ireland.

*Mr. Chaplin*

MR. WASON (Ayrshire, S.) said, they had been told that the Government majority would be smaller if hon. Members sitting on those (the Liberal) Benches were to vote according to their convictions. He ventured to tell the right hon. Gentleman who had made that statement that those who supported the Government, and who sat on those Benches, were going to vote according to their convictions. The hon. Member for North Ayrshire (Mr. Cochrane), in the speech he made, told the House that he spoke from the Scottish point of view. He (Mr. Wason) ventured to speak also as representing one of the largest constituencies in Scotland. The point the Member for North Ayrshire made was that the Scotch people would not tolerate that they should only send 72 Members to the Imperial Parliament, while Ireland, which would have a Parliament of its own, would send 80 Members to Westminster. Speaking as a Scotch Member, he was rejoiced to think that the Government had determined to retain the Irish Members here for all purposes. He quite agreed that this was not a complete and final measure of Home Rule, but it was the foundation-stone, and having laid it they hoped to be able to rear up a measure of Home Rule, not only for Ireland, but also for Scotland, Wales, and England as well. So far from the people of Scotland being dissatisfied with Ireland sending 80 Members to the Imperial Parliament whilst Scotland only sent 72, he would point out that they would be in a better position than they were at the present time, because now Ireland sent 103 whilst Scotland only sent 72. The right hon. Gentleman the Member for Bodmin (Mr. Courtney) maintained that had it not been for the other items of the Newcastle Programme the present Ministry would not have been in power. He ventured to say that had it not been for the question of Disestablishment in Scotland the Government would have had eight or 10 more supporters of their policy from that country. If a man was a strong Home Ruler and in favour of doing justice to Ireland, if he happened to be a member of the Established Church, the way in which the matter was put to him at the last Election in Scotland was this: "What does it matter to you about Home Rule for Ireland? It is the Established Church you want to



support, therefore you ought to vote against the Liberal candidate." Other arguments were used, and the Scottish Liberal candidates were opposed tooth and nail by the Established Clergy in a way, he ventured to say, which the priests in Ireland had scarcely equalled. They were denounced from the pulpits, and one clergyman went so far as to say that any Liberal Churchman who voted in support of the Liberal candidate was unfit to be a partaker of the Lord's sacrament. That was stated in one of the pulpits in South Ayrshire, and he should like to know if any priest had said anything worse than that?

**MR. T. W. RUSSELL** (Tyrone, S.): Why did you not Petition.

**MR. WASON**: Because I won the seat. If the Scottish clergy were going to interfere in the future as they had hitherto done, and use their pulpits against the Liberal candidates in the same way as they did at the last Election, he ventured to say there would be Petitions which would tend to throw light on the subject and result in certain of the elections being declared void. He was very glad to have the opportunity of saying these few words. He should vote strongly in favour of the Bill, not because he thought it was or could be a final settlement, for that was absolutely impossible, as the questions of the land, the police, and finance were reserved to the Imperial Parliament, but because, as a Scotch Home Ruler, he believed that every one of the component parts of Great Britain was better able to manage its own affairs than the Imperial Parliament. It was only by this devolution that they would ever be able to relieve the Imperial Parliament of the intolerable burden to which it was now subjected and to restore to it its ancient freedom.

**MR. TRITTON** (Lambeth, Norwood), as one who had not spoken at all upon this question, ventured to hope that even the Prime Minister would allow that he, at any rate, was not one of those hon. Members who had taken up any of the 1,500 hours which the right hon. Gentleman said had been occupied in the Debates upon this Bill, nor could the Chief Secretary place him amongst those Members against whom he levelled the bitter charges of obstruction in which he indulged at Newcastle a few days ago.

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The Prime Minister had made a great many claims on the devotion of his followers, but he ventured to think that the claim he now made for the Third Reading of this Bill was, after all, the heaviest claim the right hon. Gentleman had yet made upon them. They recognised the devotion which had led his adherents to follow the right hon. Gentleman thus far. They also, on his (the Opposition) side of the House, believed in devotion to their Leader. They believed they had a Leader who inspired devotion because he was one of the best Leaders who ever led a Party in the House, and they followed him because they knew he was leading him right; but he was afraid that some hon. Members opposite followed their Leader while they could not help thinking that he was leading them wrong. The Prime Minister had told them that this Bill had occupied so much time that it was by no means likely to add to the fame of the British House of Commons as a deliberative Assembly. He ventured to think that reading this Home Rule Bill a third time in its undigested, undiscussed, and undebated condition was the most humiliating task the House of Commons could be asked to undertake.

It being half past Five of the clock, the Debate stood adjourned.

Debate to be resumed To-morrow.

#### PUBLIC PETITIONS COMMITTEE.

Leave given to make a Special Report. Special Report brought up and read, as followeth:—

The Select Committee on Public Petitions having examined certain Petitions against the Established Church (Wales) Bill, and having observed that in the case of the Petition from Pwllheli, presented on the 16th May last, many of the signatures are in the handwriting of the same persons, and complaints having been made in regard to this and a considerable number of other Petitions from Wales that signatures have been obtained by means of misrepresentation, have decided to recommend to the House that the Order made upon the 16th day of May last, That the said Petition from Pwllheli do lie upon the Table, be read and discharged, and that the Petition be rejected.

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MR. T. M. HEALY (Louth, N.) asked if there was no means of bringing up this contempt of Parliament by forging Petitions?

\*MR. SPEAKER: That is a matter for the opinion of the House. If the hon. Member brings it before the House it will be for the House to take notice of the matter.

MR. A. C. MORTON (Peterborough): Might it be brought forward early in the day?

MR. SPEAKER: I think it might be brought forward at the commencement of Business. It appertains to the Privileges of the House.

SIR C. W. DILKE (Gloucester, Forest of Dean): May it be brought forward by any Member, or can it only be brought forward by the Chairman of the Committee on Public Petitions?

\*MR. SPEAKER: On the action of the Chairman of the Committee, or any Member of the Committee may bring it forward.

\*SIR C. W. DILKE: Or any Member of the House?

MR. SPEAKER: It is left to the Committee in the first instance, but it is open to any other gentleman on a Report being presented to the House to take any action he may think proper. In the first instance, it is for the Committee of Selection to deal with it, and it is entirely within their discretion whether they take any action.

SIR C. W. DILKE: I do not know whether the objection that privilege must be taken notice of at once would apply to any other Member who might bring this forward?

\*MR. SPEAKER: As it affects the privileges of and the right of petitioning this House, I think the matter might be brought up at any time.

MR. A. C. MORTON: If within a reasonable time either the Chairman of the Committee or some member of the Committee does not bring the matter forward, any private Member can then do so.

\*MR. SPEAKER: Yes; that is the right interpretation.

MR. T. M. HEALY: I see the hon. Baronet the Member for Ipswich (Sir C. Dalrymple) in his place, perhaps he will

be good enough to tell the House whether the Committee intend to take any step in regard to this Breach of Privilege?

\*SIR C. DALRYMPLE: The Select Committee on Public Petitions have gone very fully into the question to-day. They had before them allegations as to certain Petitions; they thought upon due consideration that the allegations were not of a kind they could attempt to substantiate to any great advantage; but, at the same time, they were of some gravity, and they desired to make an example in the case of the Petition which they thought had most offended. They, therefore, decided to recommend to the House that the Petition should not lie on the Table, but should be rejected. They do not propose to take any further step, and their decision was come to unanimously, their reasons being given in the Report which has been read to the House.

#### SUPPLY—REPORT.

Resolutions [29th August] reported.

#### NAVY ESTIMATES, 1893-4.

1. Sec. 1 "That a sum, not exceeding £1,797,000, be granted to Her Majesty, to defray the Expense of the Personnel for Shipbuilding, Repairs, and Maintenance, including the cost of Establishments of Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1894."

2. Sec. 2. "That a sum, not exceeding £1,656,000, be granted to Her Majesty, to defray the Expense of the Materiel for Shipbuilding, Repairs, and Maintenance, including the cost of Establishments of Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1894."

3. Sec. 3. "That a sum, not exceeding £1,266,000, be granted to Her Majesty, to defray the Expense of Contract Work for Shipbuilding, Repairs, and Maintenance, including the cost of Establishments of Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1894."

Resolutions agreed to.

#### PUBLIC PETITIONS COMMITTEE.

Twenty-third Report brought up, and read; to lie upon the Table, and to be printed.

House adjourned at twenty minutes before Six o'clock.







## HOUSE OF LORDS,

*Thursday, 31st August 1893.*

Several Lords—took the Oath.

EDUCATION (SCHOOL ATTENDANCE)  
(SCOTLAND) BILL [H.L.].

BILL PRESENTED. FIRST READING.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): My Lords, I present a Bill on the subject of Education (School Attendance (Scotland)). This Bill is precisely the same, *mutatis mutandis*, for raising the age of exemption to 11 as the English Bill to which your Lordships have already assented; and as I cannot conceive that there will be any objection to it, as none was raised to that measure, I propose to put it down for Second Reading to-morrow.

Bill to amend the Education (Scotland) Acts with respect to the age for attendance at school—Was presented by The Lord President [*E. Kimberley*]; read 1<sup>a</sup>. (No. 262.)

## LONDON IMPROVEMENTS BILL.

Commons Reasons for disagreeing to one of the Lords Amendments considered (according to Order).

\*LORD HOBHOUSE moved that this House do not insist upon its own Amendment with which the Commons have disagreed, but agree with the Amendments made by the Commons. With regard to the latter, he thought it would turn out they were little more than verbal. He would, therefore, split the Motion into two, the first being the important half—namely, that the Lords do not insist upon their Resolution which had the effect of throwing the Betterment Clause out of the Bill. The history of the Bill was very simple. It was a Private Bill promoted by the London County Council for the purpose of effecting improvements in London streets; and one of these improvements was calculated to enhance the value of adjoining property. The Bill contained

a plan for carrying out the desirable object of getting back from the owners of these improved properties a portion of the enhanced value which the expenditure of the ratepayers had conferred upon those properties. That was known as the principle of betterment, and the Bill was passed by the House of Commons in that condition. When it came before this House the noble Earl (the Earl of Onslow) moved a Resolution to the effect that such a provision ought not to be embodied in a Private Bill, and that Resolution was carried, so that when the Bill came before the Committee they found no option left to them but to accept the Resolution and strike out all the provisions of the Bill affected by it. It that state it passed this House and went down to the Commons; and the Commons, as far as they could, had restored the provisions of the Bill. From that statement their Lordships would see that the only principle which this House had affirmed, and to which it stood committed, was that those provisions ought not to be the subject of legislation by Private Bill. He would not repeat the arguments he had already used on the former occasion as to provisions of this character having been inserted in Private Bills for a number of years and in innumerable instances; and that thereby great Codes of Law had been formed quietly, gradually, without disturbance, with safety derived from experience, and to the great benefit of the nation. Those arguments stood wholly unanswered. Further, the House of Commons had, after discussion, debate, and division, decided that this was a provision proper to be embodied in a Private Bill. The highest authority in this House—the Chairman of Committees (the Earl of Morley)—had also stated that, in his opinion, the machinery of a Private Bill was the proper method to adopt for that purpose. He would not disguise from himself that in all probability the majority of those who voted for the noble Earl's (the Earl of Onslow's) Resolution were influenced less by any question of machinery or form than by hostility to the measure itself, or even more by hostility to the London County Council, and a tendency to view with suspicion and dislike any proposal which proceeded from it. On no other ground could he understand why so large a portion of the

speeches which were delivered in support of the Resolution consisted of attacks upon the London County Council, and, indeed, upon Municipal Bodies elsewhere. As to the hostility shown to the measure itself, the justice of the principle underlying the plan was undisputed. It was the plan that was attacked, and he gathered that the objections to it were twofold. In a letter published by its staunchest opponent the noble Duke (the Duke of Argyll), he had objected that the question whether a property was enhanced in value or not was a speculative one; but if the noble Duke had had experience on a London Assessment Committee he would not have raised that objection. Every five years the 39 Rating Bodies of London had to speculate in regard to thousands of houses as to how far their value had been increased by the expenditure upon them. The Assessment Committees had to guess; but being men of business, with some experience in the matter, they guessed very well, and their decisions were seldom disputed. If they were, the dispute went to the Quarter Sessions, but the Quarter Sessions had no greater resources than the Assessment Committees, having to guess also, though their guess was final and without appeal. The chief difference between that operation, which had been at work in London for a number of years under the Metropolitan Valuation Act, and the present proposal was that for the Quarter Sessions an arbitrator was substituted. That, in his opinion, was a distinct improvement, seeing that an arbitrator was a much more skilful tribunal than a Justice of the Peace, while his proceedings were simpler and swifter. The other difference was that instead of speculating upon the probability of increased rental value the arbitrator would speculate upon the probability of increased gross value; but what was there in either of those operations which made them one whit more speculative than the other? The second objection of the noble Duke was to the appointment of an arbitrator by the Government; but no valid reason was given why an arbitrator should not be so appointed. What probability was there that a Government official would show favour to one side rather than to the other? But experience was better than *à priori* argument. The plan of resorting

*Lord Hobhouse*

to Government Offices for the appointment of arbitrators in various Departments was not new. It had been followed for many years, and on a large scale, and he had never heard a whisper of complaint of improper appointments of arbitrators. It was true that in this case the arbitrator would go beyond the mere money value of the improvement, and would adjust the incidence of the charges upon the various classes of owners. That had to be done in some cases when the freeholder was not in possession; but in those cases would anybody seek to throw the whole burden upon the persons who chanced to be in possession? Where there was a diversity of interest among owners somebody must settle the question between them; and it was not uncommon to refer such questions to arbitration. How could such matters be better settled than by a single proceeding before a man whose duty it was to inform himself of the whole facts of the case? He did not wish to be disrespectful to the noble Duke; but he asserted that it was not the County Council's plan, but the noble Duke's objections, which were open to the charge of being speculative and contrary to the daily experience of mankind. This principle had been discussed now for four or five years, and its justice, which had at first been keenly disputed, had been established to the satisfaction of the great majority of reasonable minds; but, as everyone admitted, there was difficulty in the application of it, and the County Council had endeavoured to devise a good method of application. Three years ago they proposed a plan which, like most first attempts, was found to be faulty. Another, which was under discussion for some time, did not meet with sufficient acceptance. They had now produced a third—the present plan—which had been accepted by the County Council without any expressed dissentient voice, and, as far as he knew, with unanimous mental agreement, and it had been accepted by the great majority of Members for London constituencies. Surely, then, the time had come when the County Council were entitled to know from their opponents what it was they wanted. Their opponents said themselves that the principle was just, and that there probably was some good method of applying it. Well, what was

it? Were they to go on contriving methods until one appeared to which there was no objection to be made? If they were to do that they would be waiting until the river flowed away, and would never get this reform at all. As to the general attacks on the County Council, they were utterly irrelevant to the present discussion, founded upon complete ignorance of the subject, and were really attacks on the electors of London. The noble Earl (the Earl of Onslow) had thrown out dark hints that the next municipal election would send a good many of the present occupants of seats upon the Council about their business; but he could state with confidence that at the present moment there was not the smallest symptom that the electors of London would fail to support their Representatives in insisting on improving the finances of London. They were certain to insist that their Representatives should persevere in their efforts in that direction. This question had not been decided by Party Divisions in the House of Commons. A large proportion of those who voted "Aye" to this clause were among the habitual supporters of the noble Marquess, and upon the second Division only 10 London Members voted "No," while 27 voted "Aye" to the clause, and the Representatives of the nation voted in favour of it in the proportion of 5 to 2. He believed that in London there were very few constituencies indeed in which a candidate or a Member would stand up and tell the electors fairly and squarely that he thought the expenditure of London was rightly distributed, or that he did not think the present plan of alleviating the finances of London was a just and proper one to be carried into effect. The gist of the case was that the aim of the County Council was a just one. Londoners were eager—he might say impatient—for some action to be taken in the matter. The present plan was the outcome of years of incubation, and of attempts made by persons who understood the subject. It had been unanimously approved by the Municipal Representatives of the Londoners in the County Council, by the majority of their National Representatives in Parliament, and by the majority of the Representatives of the nation at large; and now, if the House of Lords

stood in the path suggesting no alternative of its own, but simply saying "No" to whatever was proposed by the County Council, he was afraid there would be left a very painful feeling behind—a feeling that Londoners were not receiving due consideration in a matter of peculiar importance to themselves, and which had been brought to maturity by the most careful consideration and toil on the part of their Representatives. He begged to move the Motion which stood in his name.

Moved, "That this House doth not insist on the Amendment (viz., to leave out Clause 41) to which the Commons have disagreed."—(*The Lord Hobhouse.*)

THE EARL OF ONSLOW asked their Lordships to support the decision of their Select Committee, and to insist on the Amendment introduced during the passage of the Bill through this House. He was quite aware that the result of such a proceeding, if carried, might be the loss of the Bill, and he was equally well aware that the improvements which the Bill proposed to carry out were very desirable and necessary improvements; but the principle involved was so important that he had no hesitation in asking their Lordships to pursue the course he advocated. If the Bill was lost, the loss would not rest upon their Lordships' House, but upon those who declined to accept their Amendment, because the 41st clause did not in any way affect the possibility of carrying out those improvements. All that the 41st clause did was to give to the rate-payers of the whole of this Metropolis a maximum possible sum of £150 a year. The London County Council's predecessors, the Metropolitan Board of Works, might not have been possessed of all the virtues; but they possessed at least one, that of humility. They were content to accept the wisdom of Parliament, and they had constructed such noble thoroughfares as Northumberland Avenue, Charing Cross Avenue, and Shaftesbury Avenue. During the four years the County Council had been in existence, what could they point to having done in any way approaching the magnitude of those works? People who had to catch a train at Waterloo had still to allow an extra 10 minutes for the block in the Strand, and the traffic from

the great arteries of Holborn, Fleet Street, and the Strand, still had to go through tortuous streets and ill-paved slums. And what was the reason? It was because the County Council declared that it would not proceed with those improvements until Parliament armed it with further powers. A remarkable case occurred in June last. The Improvement Committee of the London County Council recommended that Bozier's Court, at the end of Tottenham Court Road, should be swept away; but the County Council decided not to undertake that improvement, although they acknowledged it to be urgently required, until an alteration was made in the incidence of taxation. In a less degenerate age such dictation to Parliament as had been exhibited by the London County Council would have been treated with contempt; but since one of the great Parties in the State had preached the doctrine that the Imperial Parliament was not competent to manage the affairs of the whole of the Kingdom, they must not be surprised if Municipality after Municipality went out on strike and declared it would not do its work until Parliament altered the general law of the land. The noble Earl the Leader of the House had said that noble Lords on that side of the House were very fond of finding fault with the County Council which they themselves had created. Yes; but the reason they found fault with it was not account of its administrative or executive work, but because it wished to force legislation upon Parliament and to appear in the character of a Legislative Body. He had no antagonism to the London County Council, but, on the contrary, admired many of its executive acts. Many Members of their Lordships' House were also members of that Council, and lent adornment to its debates and eminence to its doings; pre-eminently he would refer to the noble Earl the Secretary of State for Foreign Affairs, who had not hesitated to give his great ability and services to matters of merely local or Metropolitan concern. But the point on which he quarrelled with the County Council was that they said to Parliament—"Though you have created us to administer the government of the greatest Metropolis in the world, and have laid down the conditions under which we are to raise and spend money, yet we decline to carry out the govern-

ment of London and improvements in London until you alter those conditions in the manner which we dictate to you." As he had said on the former occasion, he was not opposed to the betterment principle himself, and he had conversed with some of the larger landowners in London, and had found that there was a very general and widespread feeling that property should pay something in return for the benefit conferred upon it by the expenditure of the ratepayers' money. That principle had been accepted by a great many people, and if a Select Committee were appointed to consider how that could be done with justice they would have no objection. But this plan had been pressed upon them in a form almost savage in its ferocity to the unfortunate owners affected by it. They were not rich people. It was convenient for those who supported this measure to pretend that noble Lords who voted against the embodiment of this principle in a Private Bill were personally affected by it, and were personally interested in this question; but he believed he was correct in saying that not a single one of their Lordships were interested to the extent of one penny piece in the properties affected by this Bill. The landlords whose properties were affected were all poor people, and they were to have this charge or tax imposed upon them, not for five years, but for ever. That was to be done whether the property increased in value or not, whether the population migrated or not, whether or not trade had left the district, or whatever might happen. On the other hand, no proposal was made that compensation should be given where the property was deteriorated in value. It was conceivable that there might be cases in which what was known by the disagreeable word "worsement" might be the consequence of the improvement. It was said that this was not taxation on the capital value of the land. If it was not upon capital value he was at a loss to know upon what value it was thrown. It was to be a fixed annual sum placed upon the property, and if the property happened to be unoccupied and yielding no profit the charge remained just the same. That was an absolute proof that the charge would be upon capital and not upon annual value. It was said that this was

*The Earl of Onslow*



not taxation in the proper sense of the word. He would not ask the House to enter into a close investigation of what was and what was not taxation, but would merely say that this was to be imposed by a public body for public purposes, and could be collected by all the machinery of Government. The principle of betterment had been in operation in America for many years, and American writers had long regarded this kind of assessment as taxation. It was urged that any injustice which might be inflicted by this clause would be set right by the independent authority of the arbitrator. He would be disposed to accept that principle if they were living in the days of Balaam and the prophets, or even in the more modern times of the Hesperides of the classics; but unfortunately they were living in the 19th century, and the surveyors who must be chosen for this kind of work were very matter-of-fact people, and some of the most eminent surveyors had declared that it was utterly for them to prophesy unless they knew, and they would not undertake to say what might be the increased value of property under this Bill. Mr. Vigors, the well-known surveyor, told the House of Commons Committee that he would decline to attempt it. Mr. Driver, the President of the Surveyors' Institute, in his evidence last year, said it was perfectly impossible for any man, honestly disposed, to undertake such an office, and that he would have to draw upon his imagination for his facts. Similar opinions had been expressed by Sir Whittaker Ellis, Mr. Shoppee, and other well-known surveyors, that—

“It would be impossible to apply the principle equitably and without the risk of doing a grave injustice, and that all experienced surveyors were agreed that none of the plans put forward for the purpose were even approximately just or practicable.”

This matter had been considered by several Committees presided over by men of high position in Parliament, and who had held high office. First of all, Sir Joseph Bailey had said the subject ought to be decided by a strong tribunal, by a Joint Committee of the two Houses, or by a Select Committee, and that it was wrong to allow the principle to be introduced in a Private Bill. Sir James Fergusson supported the Amendment made by their Lordships for the same

reason. If the political opinions of both these gentlemen would not commend themselves to noble Lords opposite, he would ask them to admit the authority of Mr. Fowler, President of the Local Government Board. When the Strand Improvement Bill was under consideration by a Select Committee of the House of Commons, the Chairman, Mr. Fowler, drafted a Report which was not adopted by the Committee, because the betterment part of the scheme had been withdrawn by the promoters. But Mr. Fowler said—

“That the House should authorise the adoption of this principle before it is inserted in any Private Bill.”

In conclusion, he asked their Lordships to adhere to the Amendment which they had made—first, because if they did not a very grievous injustice would be inflicted upon a body of poor people, who were ill-able to afford such expense; secondly, because all the surveyors and practical men who would be called upon to act as arbitrators had declared that they would not be able to carry out the duty thrown upon them—that the plan was utterly impracticable; and, thirdly, because all the Chairmen of the Committees who had considered the question since it was started in Parliament had declared with one voice that the principle ought to be settled on broad and general lines before it should be introduced in any Private Bill. For those reasons, he asked their Lordships to adhere to their Amendment.

\***LORD MONKS WELL** said, he was glad that the noble Earl opposite had not made so violent an attack upon the London County Council as he had made in his former speech; and in that respect, certainly, he had effected that which he would prevent them from carrying out—a great improvement. The noble Earl said that the County Council should accept the decision of Parliament, and he fell foul of them for suggesting to that House that their Lordships should accept the decision of the great majority of the ratepayers of London and of the House of Commons. Surely it was as reasonable for them to ask the House to accept a decision of five to two, not a Party majority, and a majority which was growing. The noble Earl talked about dictation to Parliament on the part of the County Council; but

how would this matter appear to the ratepayers out-of-doors? Where would the ratepayers consider the dictation lay? Would they not rather think it existed on the part of noble Lords who, as had been shown by the noble Earl's own speech, did not know a great deal about the subject. The noble Earl could hardly have mastered the proposal, or he would not have described it as "almost savage in its ferocity to the landowners."

Was not the present system rather to be described as savage in its ferocity? Under it the London County Council were allowed to schedule lands, which might be compulsorily purchased beyond the limits necessary for improvements; and this was the scheme of recoupment to landlords; they could take the property simply at a valuation, irrespective of the improvement itself, and the owner might get no benefit whatever from the improvement. That law had been in operation for 20 years, and it might be worked most unjustly to the landlord. Under the betterment system, however, the landlord must be benefited by the improvement towards which he was called on to pay. Under the principle of recoupment cases of this kind were possible—there might be two houses standing together, one of them being a shop and the other a private residence, required for the purposes of an improvement. The shop, however, might be left alone because of the larger amount of compensation payable to the owner of the property; but the private residence might be taken at a valuation which would, in all probability, give the owner little more than the bare value of the property, while, on the other hand, the owner of the shop would be enormously benefited by reason of the improved position of his property in the new thoroughfare. Their Lordships would see how thoroughly unjust and inequitable that system was as compared with betterment. Another, and very serious, objection to the recoupment system was that it was not only unjust, but thoroughly wasteful and extravagant. Where a man's trade interest was bought up and extinguished, a valuable property was destroyed, just as if by a bombardment. And they could not buy up a tradesman's house and shop without buying up his trade interest as well. He knew something of public feeling in London on this question,

*Lord Monkswell*

and he maintained that the ratepayers throughout the Metropolis were almost unanimous in favour of the principle of betterment. This was made abundantly manifest at the last election for the County Council, and it resulted in the return of a large majority of Members who pledged themselves to adopt the principle, and, if possible, to secure its application to London. It was a point of importance in this matter that those who directly benefited by the improvements should, as far as possible, be made to pay for them; otherwise there would be a danger of the County Council succumbing to the principle of what was called "fair play" in the work of improvements. If the whole of London was called upon to pay for an improvement which benefited only a part of it, there was danger of feelings of jealousy and dissatisfaction being aroused between the different parts of the Metropolis, as, indeed, had already been the case in more than one instance. In the case of the Western Thames Embankment the people in the East of London said that, as so many millions had been spent to benefit the West End, so many more millions must be expended for the benefit of the East End. If London improvements were paid for all over the Metropolis there would be danger of competition between one part of London and another, so that one particular locality should not get an unfair share of improvements. For that reason, also, it was highly desirable that as far as possible improvements should be paid for by those who specially benefited by them. One word in conclusion. The noble Earl opposite had gone in some detail into this clause. It was, no doubt, long and somewhat complicated, and he was sorry their Lordships had, by their previous vote, shut themselves out from considering its details; but he would respectfully submit to them that that was not a sufficient reason for throwing over a Bill which had been carried by a majority of 5 to 2 in the House of Commons, and was supported by the almost unanimous vote of the ratepayers of London through their representatives on the London County Council.

THE MARQUESS OF SALISBURY: My Lords, the noble Lord opposite has expressed himself with such extraordinary energy in favour of the principle of

betterment that I should like to say a few words to record what is the point of view from which I regard this question. I have no metaphysical or *à priori* objection to the principle of betterment. On the contrary, it seems to me, as stated by Mr. H. H. Fowler, a very sensible principle, that if you can ascertain clearly and without doubt that a public improvement is going to increase the fortune of a man, you may make that man a contributor to the carrying out of that public improvement. I have nothing to say against that principle. After all, it is a well-known principle, and it is analogous to that which is applied in the case of building sea walls on the coast of this country. Those walls protect the property, and therefore preserve the fortunes, of a certain number of proprietors. There is no doubt who are the proprietors benefited by the sea walls, and, therefore, in the rates raised for erecting them a further burden is placed upon those proprietors. That is a principle which is perfectly reasonable and just, and no one would object if a mode of equitably applying it to the case of London improvements could be discovered. On the contrary, it would be a matter of congratulation if this could be done, for undoubtedly there is considerable difficulty in finding where the money for the improvements which this city requires is to come from. But because you have an impression that one man pays too much and somebody else ought to pay something, it does not follow that you are thereby absolved from taking any trouble to get at the right person to pay. That is the fallacy which seems to me to pervade the speeches of those who support this clause. They seem to think that when it is once established to be important that persons who do not pay now should be brought in to pay, that all objections to the form or machinery of the measure are to be thrust aside as unimportant and vague. This Bill is entirely a question of machinery and detail. Find us the person whose fortune is manifestly bettered—find it without uncertainty and without injustice—and we will make no objection whatever to his contributing to the improvement which betters his fortune. But you must find it without uncertainty and without injustice to himself. This

clause in the County Council Bill appears to me, I confess, to be the least equitable of all the proposals that have been made. The idea which the County Council appear to have conceived, that participation in the value of improvements is purely a question of proximity to it, is, in my opinion, an entirely groundless assumption. That a new street affects the houses immediately adjoining, that is upon each side of it, everybody knows; but it does not follow that the value to proprietors or occupiers of adjacent properties depends on their proximity to the new street. This plan of taking lines of deviation—which we have never been allowed to see, and therefore I do not know exactly what they are—that shows the manner in which this question, like others, has been dealt with—this mode of taking two parallel lines, I suppose on each side of the street, and presuming that every person included therein will benefit by the improvement, has not the vaguest shadow of foundation. The County Council appear to think that the action of an improvement is a radiating action, like the action of heat, light, or gravitation, and that people benefit in inverse proportion to the square of the distance. I cannot imagine where they get that idea from. The truth is, so far as my observation has led me to a conclusion, that the population or owners in the immediate neighbourhood of an improvement may not only not benefit, but may, and constantly do, suffer loss, because the good shops and good customers desert the old and smaller streets and go to the new street; and therefore your neighbours, these people within the area of deviation whom the County Council propose to tax, are likely to suffer loss rather than to derive benefit from improvements you have been making. Then you fall back upon your arbitrator, and you tell me the arbitrator will discover all this. I have not a word to say against the action of the arbitros of the Local Government Board. Perhaps it would be desirable, if they are to be entrusted with great powers of this kind, that they should be made a more permanent body, and that they should not be appointed simply *ad hoc* for deciding cases in which at some future time political passions might arise. At all events, I have nothing to object to in the decision of the Government arbi-

trator ; but official arbitrators have hitherto been employed to decide questions of fact, such as the value of this property, or that property, or of the growth of value in a neighbourhood ; but now they are to be asked to decide what will be the effect of an improvement that has not yet been carried out upon various properties which it has not yet, therefore, affected. An arbitrator decides every day, and decides with very fair accuracy and contentment to the parties concerned, upon values or rates of increase that are actually in existence ; but here you are asking him to decide in cases where there exists no code of rules, no accumulated body of experience, no basis for decision, which would enable a surveyor to give evidence or an arbitrator to decide upon the probable effect in the future of an improvement, the action of which must be absolutely uncertain. The serious consequence of asking an arbitrator to decide something which he cannot possibly know, and with respect to which he must draw entirely upon his own imagination, is the enormous cost which you inflict upon the suitor. You know that these land disputes are not cheap questions at any time. You know that these miserable people who are caught between the lines of deviation are not rich ; and when the London County Council assesses some huge sum upon them, if they have to fight—and no doubt the County Council will assess the largest sum it can in order to make precedents for future work—they will have to appeal to arbitrators against the County Council assessors. The County Council will have a serried array of expert witnesses, and the unfortunate appellants will be compelled to produce experts on their side. There is no other legal amusement in the world that is as expensive as that of fighting expert evidence ; and the more uncertain a matter is, and the more it is a question for the arbitrator's imagination, the more will it be necessary to rely upon the evidence of this body of experts on each side, who will have to collect, painfully, such facts as can be obtained from the few parts of London where improvements have taken place, and where, of course, they would be able to show that one house had been improved, and that other houses had not been improved at all. These uncertain-

ties will mean nothing but expense to the litigants. But see what the position is in which you put these unfortunate people, who are caught between the lines of deviation. They are to be for seven years kept in uncertainty about their property. When you impose a tax there is an end of it, and the various interests concerned. But now, for seven years, there may be upon those wretched people the uncertainty whether or not their property is to be selected for being mulcted in this manner, and they will have no means of accelerating the decision or escaping from the uncertainty. The very first effect of this Bill, I venture to say, will be to lower the value by 50 per cent. of every inch of property. The values might increase afterwards, but at the first moment the feeling of panic at being exposed for so long a period to an uncertain tax would diminish the value of, and be a heavy burden upon, property within the lines of deviation. No one wishing to sell a lease would have the slightest chance of getting the fair value which it bears at this moment. Those, my Lords, are the grounds on which I object to this ill-constructed and slovenly measure. And I wish your Lordships would look at it by the light of precedent, and consider the irregularity of form of which we have been guilty. We have Public Bills in both Houses of Parliament. If this had been a Public Bill it would have been exposed to ample discussion in the House of Commons as each line of it was taken through Committee ; public opinion would have been turned to it, and information would have flowed in ; and this new principle of taxation, if agreed to, would have been established in the light of day. Even if it had been treated as an ordinary Private Bill it would have been considered fully, and counsel would have been heard upon each side before men who would have dealt with it according to the best of their ability. But you did not even do that. A thing called a Hybrid Committee was appointed to consider the measure, where the men were not selected on account of their impartiality, but on account of their opinions, five of its Members being on one side and four on the other, and the fifth man on the side of the majority was actually the member of the County Council who was most



interested in the proposed legislation and in pushing this Bill. My Lords, this Bill has been, not for the sake of the money to be obtained by it, but for the sake of clandestinely and insidiously setting up a precedent, driven through the crooked backways of a Hybrid Committee, instead of being submitted to a Public or a Private Bill Committee in the public light of day, where all Bills which come before them are fully discussed. In such circumstances, objections of form become objections of substance and reality. Such forms are meant to prevent haste, and to protect the weak from injustice. In this case those forms have been deliberately set aside; and it is to protect the weak from injustice that I ask your Lordships to insist upon your Amendment.

THE EARL OF KIMBERLEY: My Lords, I must say I have heard with astonishment the last portion of the argument of the noble Marquess. I can hardly see upon what ground he can possibly base it. He has just told your Lordships that the Bill was not submitted to an impartial tribunal, but to a Hybrid Committee in the House of Commons, and he has criticised the mode in which the Bill passed through that Hybrid Committee. Well, in your Lordships' House there are no Hybrid Committees, and the clause now under consideration might have been considered by an impartial Committee of this House, but for the action of the noble Marquess and his friends, who carried a Resolution excluding the clause from consideration by the Committee. I can only suppose that the noble Marquess has forgotten the nature of that Resolution. I submit to your Lordships that that is the very point of which we complain. Why was not this clause allowed to be examined? It seems to me very proper that it should have been examined. I do not assent for a moment that the clause in this particular form as sent up from the House of Commons is perfect. I think, indeed, it is one of those clauses which it is exceedingly desirable should have been examined by a Select Committee, and if there was any wish afterwards to review it it could have been discussed. In any case, light would have been thrown upon the noble Marquess's metaphysical opinion. I believe he said it was not a metaphysical

opinion, but a sort of pious opinion, that betterment is in itself a good thing. In point of fact it is impossible to argue against the principle. Nothing is more easy—and it is a very common thing in private discussions—than to admit that a principle is a good one, and at the same time to take extraordinary care that that principle shall have no practical application. That I imagine to be entirely the position of the noble Marquess and his friends. They admit the principle to be sound and rational, but he and his friends have prevented that principle from being carried out in a Bill which has been placed on the Table of this House. But, my Lords, see what a position that places this House in. The noble Marquess, who from his ability and position has great weight, tells the House that in his opinion the principle of betterment is a sound and a good one, and at the same time he has supported the proposal made on the other side of the House which has prevented the possibility of the application of that principle under the Bill before your Lordships. I rather thought the noble Marquess would have taken up another ground, which was the ground taken up on the previous occasion, that this provision ought not to be put forward in a Private Bill. Of course, I understand that ground perfectly well, though that was not quite the ground taken by the noble Marquess the other night—that it was a matter to be dealt with by a Public Bill.

THE MARQUESS OF SALISBURY: Yes, and I entirely retain that opinion; but what I pointed out was the extreme injustice of not letting it go before, not only a Public, but even a Private Bill Committee.

THE EARL OF KIMBERLEY: But it had to be considered in this House, as all Private Bills have to be considered, that is under the Forms of this House. I think the noble Marquess relied upon the argument brought forward on the Resolution—an argument I can perfectly understand, and which is quite legitimate—that you ought first to have a general law upon the subject laying down the general principle by which the whole matter would have been settled. With regard to the objection the noble Marquess took to the arbitrator, I am sure the noble Marquess must know that

arbitrators have constantly to decide questions upon which they have no general principles to guide them. I should like to know, in a case where a number of houses inhabited by the working classes have been destroyed, upon what principle the arbitrator determines exactly the number of tenements requiring to be built on account of that destruction? But it is a decision to which they must come to the best of their ability. I am assured by my noble Friend (Lord Farrer), with his great experience at the Metropolitan Board of Works, that there are numberless instances of matters being decided by arbitrators in which there is just as little guidance from general principles as there would be in this case. The noble Marquess said that in all probability property affected by the improvements would decrease in value. If that happens, then it is quite clear that the principle of betterment would not have any application, and I do not see how an arbitrator could say in that case that the value of the property had increased. I still think that the best mode of proceeding is by a Private Bill. There are, no doubt, great difficulties in the way of formulating a satisfactory scheme; but the proposition here is to carry out the principle with a real and genuine desire to do justice to everyone. Considering the very strong opinion on the part of the population of this great city in favour of some such scheme as this, and considering the largeness of the majority in the House of Commons against your Lordships' Amendment and its non-Party character, I think it would be a lamentable thing for the House to commit the grave mistake of refusing to consent to the Amendment.

\*THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY) wished to say a few words, not in reference to the principle of betterment, but rather with regard to the position in which the House found itself in consequence of the Resolution passed by their Lordships, and of the action taken by the House of Commons upon it. The Resolution did not condemn nor impugn the fairness or equity of the principle of betterment, but stated that the House required further information as to its application, and that the principle should be practically carried into effect in a

more public manner. The result was that when the Bill came before the Private Bill Committee to which it was referred, that Committee considered that they were debarred from dealing with Clause 41 at all. He did not think the Committee could have taken any other course; but the result was that the opponents of the clause were debarred from being heard by the Committee, whether their objections were generally to the principle of betterment, or local objections which might go to the point that the particular area involved was not one suited to the application of that principle. In the Debate which took place on the Resolution he ventured to express an opinion that where property was improved by the expenditure of public money it was just and fair that that property should contribute to the expense of the improvement. He also expressed the opinion that a principle of this kind, when confined to a limited and local area, might very properly be dealt with in a local Act; but the Resolution of the House maintained—and he thought that there was great force in it—that some general principles ought to be laid down by an authority that would not be disputed to guide the conduct of Committees in dealing with individual cases. He would suggest that that excellent end might be attained by the appointment of a Joint Committee, such as that which sat to consider the question of electric current disturbances during the present Session. The Betterment Clause had been reinstated by the House of Commons by a very large majority, and that fact, of course, could not be disregarded, especially considering how that majority was formed. But there was the great difficulty which had not been alluded to by any previous speaker, that if the clause was allowed to stand no opponent of the Bill could possibly be heard against it. They would be absolutely debarred from their Constitutional right to be heard. It was impossible, in the present stage of the Bill, to refer it again to the Committee, while by the action of the House the other day the opponents of the Bill were debarred from being heard against the principle of betterment as carried out in the clause which had been struck out of the Bill. Therefore, if their Lordships did not maintain their Resolution, they

*The Earl of Kimberley*

would pass a Private Bill without giving its opponents an opportunity of being heard. The only possible solution to his mind was to postpone the operation of the clause until a future Session, when the possibility of applying the principle might be considered by a Select or Joint Committee. He did not say that that was altogether a satisfactory solution, but he threw it out as a suggestion. The result of that would be that the County Council would obtain the clause as it stood; that the opponents of the measure would hereafter have the opportunity of being heard against it; and that owners or purchasers of property would be warned that their property might be burdened by a charge. He was afraid that would hardly be accepted as a compromise by either Party; but, failing that, he regretted that it would be impossible for him, in the position he had the honour to hold, to support a Motion which would prevent all the opponents of the measure from being heard.

THE LORD CHANCELLOR (Lord HERSCHELL): I merely wish to say one word on the point to which my noble Friend (the Earl of Morley) has alluded. I cannot myself entertain any doubt that the opponents of the Bill are those persons at whose instance the proceedings were taken which prevented them from being heard, and, therefore, I have not the slightest fear that injustice will be done to them.

THE EARL OF WEMYSS said, it could not be contended, as had been said, that the last election of the County Council turned upon the question of betterment. No doubt the Metropolitan Radical Federation referred to the question in their programme; but it was mixed up with revision of taxation, the revision of the distribution of rates between owners and occupiers, the special taxation of land values, the rating of empty houses, vacant special rating, and other questions. It was rather strange that the Earl of Rosebery, when he was asked to sit for St. George's, Wapping, and declined, though he issued an address which occupied three-quarters of a column in *The Times*, did not mention betterment as one of the subjects which the London County Council ought to deal with.

On Question? Their Lordships divided:—Contents 27; Not-Contents 50.

THE EARL OF ONSLOW moved that the House do insist on the Amendment it had made in the Bill.

Motion agreed to.

A Committee appointed to prepare a Reason for the Lords insisting on their Amendment:—The Committee to meet forthwith.

Report from the Committee of the Reason to be offered to the Commons for the Lords insisting on their Amendment, read, and agreed to: And a Message sent to the Commons to return the Bill with the Amendment and Reason.

#### BLACKROCK AND KINGSTOWN DRAINAGE AND IMPROVEMENT BILL.

Commons Amendments considered (according to Order).

Moved, "That the Commons Amendments be agreed to."

\*THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY) said, he had no objection to the Motion, but would point out that nothing could be more irregular than the manner in which they had been introduced. The main objection to them was that they were absolutely outside the notices deposited with the Bill, thereby bringing into it at the last stage new matters altogether. Such a course would cause great confusion in private legislation if adopted. He was informed that the loss of this Bill would involve great hardship on the towns of Blackrock and Kingstown, and therefore he would, on that ground, offer no objection to the Motion.

Motion agreed to.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 254.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> Tomorrow.

#### ISLE OF MAN (CHURCH BUILDING ACTS) BILL [H.L.].—(No. 143.)

Read 3<sup>a</sup> (according to Order), and passed, and sent to the Commons.

## COMPANIES (WINDING-UP) BILL [H.L.].

House in Committee (according to Order); Bills reported without Amendment; and re-committed to the Standing Committee.

## SHERIFF COURTS CONSIGNATIONS

(SCOTLAND) BILL.—(No. 259.)

House in Committee (according to Order); Bills reported without Amendment; and re-committed to the Standing Committee.

## BURGH GAS SUPPLY (SCOTLAND) ACT

(1876) AMENDMENT BILL.—(No. 226.)

Amendment reported (according to Order); and Bill to be read 3<sup>a</sup> To-morrow.

FERTILISERS AND FEEDING STUFFS  
BILL.

Read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> To-morrow.—(*The Lord Ribblesdale.*) (No. 263.)

House adjourned at ten minutes past Six o'clock, till To-morrow, a quarter past Four o'clock.

## HOUSE OF COMMONS,

*Thursday, 31st August 1893.*

## QUESTIONS.

THE CASE OF F. W. SMITH, OF  
HUNSLET.

MR. HOPWOOD (Lancashire, S.E., Middleton): I beg to ask the Secretary of State for the Home Department whether he will inquire into the case of F. W. Smith, of Clarence Road, Hunslet, under sentence of 14 days' imprisonment for neglecting to vaccinate his child; whether two police officers about midnight of 17th August came and knocked loudly, and broke in the outer door to arrest Smith; and whether he will take steps to prevent such a course being pursued in the future?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. H. GLADSTONE, Leeds, W.): The following is the answer of my right

hon. Friend:—I have made inquiries into this case, and have received a Report from the Chief Constable, from which it appears that Smith was evading payment, having stated that he did not intend to pay. A warrant was issued for his arrest, and as the officer charged with the execution of the warrant could not get to see him he proceeded to execute it at night. He did not, in the first instance, break open the door, but knocked, and Smith, answering from the bedroom window, said he would surrender when ready, but instead of that escaped by a side door. The officer, after waiting some time, then burst the door and found Smith gone. The Chief Constable further informs me that if he had been consulted beforehand he would not have authorised the attempt to arrest at night; but the proceedings do not appear to have been illegal.

## THE LABOURERS (IRELAND) ACT, 1891.

MR. KENNEDY (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, with a view to enable agricultural labourers to avail themselves of Section 3 of "The Labourers (Ireland) Act, 1891," the Local Government of Ireland will direct clerks of Unions and relieving officers to fill representation forms when requested to do so by any agricultural labourer or labourers who wish to sign the representation under this section, and who signify their inability to prepare the legal form?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): The view hitherto taken by the Local Government Board is that these representations should be prepared without the intervention of Union officials or Guardians, before whom the representations would afterwards come for consideration. I am inclined to think that a labourer ought to experience very little difficulty in finding some person other than an official able to fill up the form for him. The clergyman, National school teacher, the constable of police, or local shopkeeper would probably not refuse to fill the form if asked.

## ASHPERTON NATIONAL SCHOOL.

MR. RANKIN (Herefordshire, Leominster): I beg to ask the Vice Pre-



sident of the Committee of Council on Education whether he will defer the order given for the enlargement of the class-room at Ashperton (Herefordshire) National School until after the next inspection, with the view of ascertaining whether such enlargement is really necessary?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The Inspector, after his annual visit to this school last May, reported that the existing class-room, which is only 10 feet wide, was quite unsuitable for its purpose. It has been suggested to the Managers that the available space might be enlarged by replacing a wall in the school by a glass partition. If the Managers accept this suggestion, which will be regarded as sufficient by the Department, I see no reason why the alteration should not be carried out at once. The Department have just received a fresh letter from the Managers on the subject, which will, of course, be carefully considered.

#### SIAM.

SIR C. W. DILKE (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for Foreign Affairs whether there is any truth in the statement, telegraphed to *The Times* of Tuesday, to the effect that French troops are throwing up earthworks round Chantaboon?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): We have no Agent at Chantaboon, and I cannot say how far the report as to throwing up earthworks is accurate.

#### SLAVERY AT ZANZIBAR.

MR. J. W. LOWTHER (Cumberland, Penrith): I beg to ask the Under Secretary of State for Foreign Affairs whether any steps have been taken by Her Majesty's Government, or by the Government of any of the other Powers, signatories to the Brussels Act (ratified 2nd January, 1892), to establish (1) the International Slave Trade Office at Zanzibar, contemplated in the 74th and following Articles of the Act; or (2) the Special Office at Brussels, contemplated in the 31st and following Articles of the Act?

\*SIR E. GREY: Both these Institutions have been established and are in full working order. The first issue of documents has been made by the Brussels Office, and at page 367 of their publication the Report of the constitution of the Zanzibar Office is given. A copy will be placed in the Library of the House of Commons for reference.

#### MARTINI-HENRY RIFLE CONTRACTS.

MR. LOUGH (Islington, W.): I beg to ask the Secretary of State for War if it is true that Martini-Henry rifles are being made for the Government by Messrs. Purvis and Co., of Eagle Wharf Road; if so, whether he is aware that the sights are sub-contracted to a man on the premises, who receives 2s. 2d. for each sight, for which he pays the men under him 1s. 4½d.; whether he is aware that portions of the rifle are being made by sub-contract in Birmingham; and whether such action is sanctioned by the War Office?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. WOODALL, Hanley): Martini-Henry rifles and carbines are being made under contract with the War Office by the Henry Rifled Barrel Company, of Eagle Wharf Road, the manager of the firm being Mr. Purvis. It is true that the back-sights are undertaken by a foreman of the works, but he receives 1s. 11d. per sight, not 2s. 2d. This price covers 1s. 5d. for piecework, in addition to 30s. per week for daywork operations and the foreman's own wages for finishing. The pieceworkers earn on an average 35s. per week, or over 7½d. per hour, which is considered satisfactory. Three small items among the component parts of the carbine are being obtained in an unfinished state from Birmingham. The contract provides that sub-letting, other than that which may be considered customary in the trade, is prohibited. It is not considered that the company have done anything which is not customary in the trade.

MR. LOUGH: May I ask whether the workpeople employed under the foremen are paid by them or direct from the general office of the company?

MR. WOODALL: Hitherto 193 day and pieceworkers have received their money from the window of the office, while 54 hands under seven contractors take their earnings direct from these con-

tractors, who also regulate the rates to be paid to the 54 hands for the different operations. It has now been arranged that all the piecework rates shall be fixed by the company, and all workers receive payment direct from the office.

#### CROWN FORESHORES.

MR. LOUGH: I beg to ask the Secretary of State for the Home Department whether, inasmuch as the foreshore of the United Kingdom belongs *prima facie* to the Crown, he will take steps to prevent all further sales of Crown foreshores, in order to secure it for the health, enjoyment, and welfare of the people; whether he is aware that private landlords are in many parts of the country setting up claims to foreshore, and preventing access to the sea; would he state what Government Department has the duty of protecting the rights of Crown and public to the foreshore; whether such Department is willing to receive information from the public of landlords' encroachments; and whether he will instruct the police to give information to the responsible Department of Government of any notice boards erected by landlords claiming rights over foreshore?

THE PRESIDENT OF THE BOARD OF TRADE (MR. MUNDELLA, Sheffield, Brightside): The rights and interests of the Crown in the foreshore of the United Kingdom, with a few exceptions, have been by "The Crown Lands Act, 1866," placed under the management of the Board of Trade, whose policy is to preserve such shores for the use and enjoyment of the public, and not to alienate the rights of the Crown therein, except for the purpose of some useful works in immediate contemplation, such as reclamations, sites for harbour works, piers, &c. The Board of Trade are aware that in some places landowners claim to be entitled to the foreshores adjacent to their properties; but such claims are not recognised without careful investigation by the legal advisers of the Department. The Board are prepared to receive authentic information of encroachments upon foreshores, or of unauthorised interference therewith, from any persons. Coastguard officers and officers of Customs have been under instructions to report any such attempted encroachments to the Board of Trade since 1867.

*Mr. Woodall*

#### BETHLEHEM AND ST. LUKE'S HOSPITAL.

MR. A. C. MORTON (Peterborough): I beg to ask the President of the Local Government Board whether he can say who comprise the Governing Bodies of Bethlehem and St. Luke's Hospitals for the Insane, how they are elected, the annual amount of income, and from what source or sources the funds are derived; and whether he will consider the expediency of making these Asylums part of the general system of Lunatic Asylums for the Insane of the Metropolis?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. H. H. FOWLER, Wolverhampton, E.): I am informed that Bethlehem Hospital is the property of the Corporation of the City of London, by grant from King Henry VIII. in the year 1547. The Governing Body of the Hospital are a Committee elected by and from the Governors; and the Governors are the Aldermen of the City of London, 12 Common Councilmen elected by the Court of Common Council of the City, and certain Donation Governors who have each given £50. The income of the Hospital in 1892 was £33,369, of which £24,606 was derived from rents, dividends, and interest; £7,767 from patients and boarders; £179 from donations, and £817 from other sources. St. Luke's Hospital originated in the benevolent designs of a few private persons in 1751. The Governing Body are a Committee elected by the subscribers to that Hospital of 30 guineas and upwards. The income of the hospital in 1892 was £14,697, of which £4,582 was derived from rents, dividends, and interest; £8,746 from patients; £73 from donations; £1,079 from legacies; £157 from annual subscriptions, and £60 from other receipts. These Hospitals form part of the general provision for the insane of the United Kingdom as Public Institutions, and for patients not of the pauper class. The Commissioners in Lunacy state that they think that both Hospitals deserve praise for their work, and are, under their present management, very useful Institutions.

#### AGRICULTURAL EDUCATION IN IRELAND.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the

Chief Secretary to the Lord Lieutenant of Ireland if he will state the number of schools in Ireland supported by public funds which have either school farms or school gardens attached to them; the number of scholars in these schools who have been examined during the past year in practical agriculture; and the number of scholars who have successfully passed such examination?

MR. J. MORLEY: The number of national schools in Ireland that have school farms connected with them is 45, and the number of such schools that have school gardens is 28. The number of pupils examined in practical agriculture during the past year was 666, of whom 605 successfully passed in the agricultural programme; and the number of pupils examined in practical work of garden management was 546, of whom 415 passed. It may be mentioned that there are also two agricultural institutions under the Commissioners of National Education not included in the figures just quoted—namely, the Albert Institution, Dublin, and the Munster Agricultural and Dairy School, Cork. The numbers that attended the Albert Institution in 1892 were:—Agricultural boarders, 35; dairy pupils, 46; national teachers, nine; and Queen's scholars, 130. The numbers attending the Munster Institution in 1892 were:—Agricultural boarders 14 and dairy pupils 65. There has not been sufficient time to ascertain the number of workhouses to which school farms are attached, but I am informed that in nearly every case where the boys are old enough they are taught practical agriculture in the grounds attached to the workhouse. In addition there are farms and gardens attached to some reformatory and industrial schools, but no examinations in practical agriculture are held in connection with these. I may add that instruction in the theory of agriculture is compulsory in all rural national schools for boys in the fourth, fifth, and sixth classes, and is optional in the case of girls of the same classes. There were 79,260 pupils examined in the agricultural class books at the results examinations, of whom 48,083 passed.

#### CRADOCK WILLS CHARITY, CARDIFF.

MR. JESSE COLLINGS: I beg to ask the hon. Member for Merionethshire, as representing the Charity Commissioners,

whether the whole of the Scholarships and Exhibitions established under the Scheme of 1889 for the management of the Cradock Wills Charity, Cardiff, have been awarded; and, if so, whether he will ascertain and state the trade or occupation of the parents of the children who have obtained such Exhibitions and Scholarships?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): Clause 26 of the Scheme of 28th May, 1889, directs that a yearly sum of not more than £200 shall be applied in maintaining Scholarships. The following sums have been so applied:—In 1890, £185; in 1891, £191 10s.; in 1892, £197 10s. The following is the analysis of the occupations of the parents of the holders:—Artisans, 22; engineers, 5; employed on ships or about shipping, 5; employed on railways, 12; shopkeepers, 12; clerks, 7; travellers, 3; miscellaneous, 5; father dead, 3; unascertained, 10. The Commissioners have not yet received information as to the award of Exhibitions by the Council of the University College of South Wales and Monmouthshire.

MR. JESSE COLLINGS: Are any of the Scholarships held by children whose parents are below the artizan class, who are labourers, and belong to the poorer class?

MR. T. E. ELLIS: I shall be happy to give the right hon. Gentleman a list of every one of the holders of the Scholarships.

#### DEFECTIVE SCHOOL ACCOMMODATION.

MR. BILL (Staffordshire, Leek): I beg to ask the Vice President of the Committee of Council on Education, with reference to the Circular just issued to Her Majesty's Inspectors of Schools regarding schools not under Government inspection, whether it is intended immediately on receipt of the Reports of the Inspectors to disqualify those schools which are found to be defective in accommodation or instruction, or whether, following the precedent hitherto observed in the case of voluntary schools, a period of grace will be allowed them in which to meet the requirements of the Department?

MR. ACLAND: In districts where a deficiency of school accommodation is caused by the disqualification of unin-

spected schools, notices will be issued in the ordinary way under Section 9 of the Act of 1870, and the usual opportunity will, therefore, be given for the voluntary supply of the deficiency by existing schools being brought into conformity with the requirements of the Department.

#### SITTINGBOURNE POSTAL ARRANGEMENTS.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Postmaster General whether he is aware that the branch post office at the east end of Sittingbourne, Kent, has been recently removed from the corner of Bayford Road, where it has been for the last seven or eight years, to a site 165 yards further westward, and that no less than 520 householders are affected by this change; and if he can state the reasons why it has been made?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): As usual in such cases, the Treasury nominated for the vacancy at the sub-office referred to in the question of the hon. Member. The site of the new office is, I understand, 165 yards from the old office; and I am informed that, while some of the inhabitants of the district have that distance further to go, others are benefited to the same extent. The circumstances are not, in my opinion, such as to justify my cancelling the nomination.

MR. KNATCHBULL-HUGESSEN: Did not the right hon. Gentleman receive a representation from the inhabitants of Sittingbourne, pointing out the extreme inconvenience of the course pursued?

MR. A. MORLEY: I think one letter was received. I do not hold that there is anything in the circumstances to justify my interference.

#### THE WEIGHT OF ARMY RIFLES.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Secretary of State for War what is the weight of the Lee-Metford, the Männlicher, the Lebel, the Mauser, the Berdan, and the Martini-Henry rifles respectively; and what rifles are the British Army now supplied with?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The weight of the Lee-

Metford rifle is 9lb. 8oz.; that of the Martini-Henry 8lb. 12oz. The Männlicher rifle in use in the Austrian Army weighs 9lb. 10oz.; the pattern adopted by the German Army 8lb. 9 $\frac{3}{4}$ oz.; and that adopted by Roumania 8lb. 8oz. The Lebel rifle weighs 9lb. 4oz.; the Mauser (Argentine pattern) 8lb. 14oz.; Belgian pattern, 8lb. 2oz.; and Servian pattern, 9lb. 14 $\frac{1}{2}$ oz. The Berdan rifle weighs 9lb. 12oz. The troops on the British establishment are armed with the Lee-Metford rifle, with the exception of eight battalions in Ireland and eight in the Colonies, which have the Martini-Henry. The Lee-Metford rifle has been sent out to India in sufficient numbers to supply all British troops there; but it is not known whether the issue has been completed yet.

#### THE NEW HEBRIDES.

MR. T. CURRAN (Sligo, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether any official information has been received of the reported intention of the French to annex the New Hebrides; whether he can specify the date on which the present joint agreement between Great Britain and France, for the government of the Hebrides, expires; whether he is aware that the permanent occupation of the New Hebrides by France would be regarded with serious concern and dissatisfaction by the people of the Australasian Colonies; and whether Her Majesty's Government has come to any conclusion with respect to the future of the New Hebrides on the expiration of the present Treaty with France?

\*SIR E. GREY: No information as to any such intention has been received, and no date is fixed for the termination of the Convention. This Convention, together with a record of the assurances given by the French Government that they entertained no projects of annexation, will be found in Parliamentary Paper, France, No. 1 (1888). Her Majesty's Government are aware of the views of the Australasian Colonies. As the termination of the present Convention is not contemplated, there has been no occasion for coming to any conclusion such as that indicated in the last paragraph of the question.

MR. W. JOHNSTON (Belfast, S.): Did not the French Govern-



ment give similar assurances with regard to Siam before annexing part of that country?

\*SIR E. GREY: They gave certain assurances as regards Siam; but they would contend that the operations there do not conflict with the assurances previously given.

MR. HOGAN (Tipperary, Mid): Having regard to the alarm and anxiety which, according to the latest telegrams in *The Times*, prevail in Australia with respect to the intentions of France in this connection, will the Secretary of State communicate with the British Ambassador with the object of obtaining authoritative assurances that the annexation of the New Hebrides is not contemplated?

\*SIR E. GREY: The annexation could not take place until the present Convention is terminated; and, as we have had no intimation leading us to suppose that the French Government are proposing to terminate that Convention, it would be superfluous to ask for further assurances.

\*MR. HOGAN: Is the hon. Baronet aware that a few years ago, when it was generally believed that France was about to seize those islands, the Australian natives seriously contemplated despatching a vessel to annex the New Hebrides without waiting for the sanction or authority of the Imperial Government?

\*SIR E. GREY: The question relates to an incident of some time ago, and it would be necessary for me to refer to the Colonial Office before answering it.

MR. FORRESTER, J.P.

MR. J. WILSON (Govan): I beg to ask the Secretary for Scotland whether he is aware that Mr. Robert Forrester, holding Her Majesty's Commission of the Peace for the County of Lanark, was convicted, on Friday the 25th instant, at the Glasgow Central Police Court, for assault and being under the influence of drink, and sentenced to pay a fine of two guineas or 14 days' imprisonment; and whether it is the intention of the Lord Chancellor to remove Mr. Forrester from the Commission of the Peace?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): I regret to say that the Report I have received from the presiding Magistrate in regard to the case referred to is of a very unsatisfactory

nature, and it will be necessary for me to lay it before the Lord Chancellor for his consideration.

#### FISHERY HARBOUR ACCOMMODATION IN SCOTLAND.

MR. BUCHANAN (Aberdeenshire, E.): I beg to ask the Secretary for Scotland whether he will endeavour to carry out at as early a date as possible the recommendations of the Sea Fisheries Committee on the subject of fishery harbour accommodation in Scotland, whereby power should be given to the Fishery Board to apply the funds entrusted to them for harbour improvement as security for loans to be made for that purpose by the Public Works Loan Commission?

SIR G. TREVELYAN: The recommendation referred to in the question of the hon. Member will be duly considered along with other points in connection with the Sea Fisheries Regulation Bill now before Parliament, as it cannot be given effect to without legislation.

#### ARMY MEDICAL REPORTS.

MR. A. C. MORTON: I beg to ask the Secretary of State for War whether the officer at the War Office who supervises the Quarterly Medical Reports and to whom the whole sanitary responsibility of the Army is left is only a junior officer, holding the rank of Surgeon Major; whether he will arrange to have the principal medical officer's inspections made twice a year in India as in this country; and whether he will make a more stringent Order requiring the Commanding Officers to go round with the principal medical officer on his half-yearly inspections?

\*MR. CAMPBELL-BANNERMAN: The medical officer who performs the sanitary duties at the War Office is not a junior officer, but has nearly 20 years' service, and will next month be promoted to the rank of Surgeon Lieutenant Colonel. The sanitary responsibility of the Army does not rest wholly with him, nor even with the Director General, the interests of the Army in this respect being, moreover, secured by the Army Sanitary Committee, of which the officer in question is a member. The second question is one entirely for the Indian Government. It is not proposed to alter the Regulations at present existing as to

the officer who is to accompany the medical officer on his half-yearly inspections. This duty at present is imposed on such officer not below the rank of Captain as the officer commanding may appoint to represent him. And he is also accompanied by an officer of the Royal Engineers.

MR. A. C. MORTON : Is the right hon. Gentleman aware that in many cases the medical officer is accompanied not by the Commanding Officer, or Colonel, or Captain, but by an officer of still lower rank ?

\*MR. CAMPBELL-BANNERMAN : That is strictly against the Regulations.

#### HINDU-MUSSULMAN RIOTS.

MR. NAOROJI (Finsbury, Central) : in the absence of the hon. Member for Banffshire, I beg to ask the Under Secretary of State for India whether the Secretary of State for India will lay upon the Table of the House a Return of the Hindu-Mussulman riots which have occurred during the last five years, showing how each riot originated, how it was dealt with, and how many persons were killed and wounded ; and whether the Secretary of State will call for a Special Report from the Government of India regarding the disturbances this year at Azamgarh, Balia, Bareilly, and Bombay, showing how these disturbances originated, why they are becoming more frequent than in past years, and how they can be put a stop to ?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.) : The Secretary of State is not in possession of the full information which would enable a Report for the last five years to be prepared. But he will ask the Government of India to send home with the local Reports on the recent riots a general Report covering the points enumerated by my hon. Friend in the second paragraph of his question.

#### THE CULLIPOOL LABOUR DISPUTE.

MR. BEITH (Inverness, &c.) : In the absence of the hon. Member for Argyll, I beg to ask the Secretary for Scotland upon what ground a force of police has been sent from Oban to Cullipool ; whether there has been any disturbance requiring the presence of extra police ; whether the extra police are boarded in the house of the lessees of the quarries,

who are one of the parties to a dispute which has arisen about the payment of wages ; and whether the lessees of the quarries keep a store, and in the dealings with the quarriers infringe the provisions of the Truck Act ?

SIR G. TREVELYAN : In reply to the hon. Member, I may state that the Chief Constable instructed his Superintendent and two constables to go to Cullipool, in consequence of a report received from the Superintendent at Oban intimating that a strike had taken place amongst the quarriers there, and that a disturbance was anticipated. The disturbance was of such a nature as to demand the presence of some extra police, with a view to the preservation of the public peace. I understand that one of these constables was lodged in one of the lessees' houses, as no other accommodation was available. The lessees have no store at Cullipool, but they have one at their Toberonochy quarries. A complaint has been made to the Crown Authorities of a contravention of the Truck Act ; but after a full inquiry, and upon the statements of the quarriers themselves, it does not appear to be well founded. I am glad to add, from a telegram received from the Chief Constable, that the strike is now at an end.

MR. BEITH : I beg, on behalf of the hon. Member for Argyll, to ask the Lord Advocate if his attention has been called to the complaint of the men working in the quarries owned by Maclean and Co., at Cullipool Easdale, that their wages are paid only once in three months, and that a deputation of the men who waited upon Maclean and Co., asking for payment once in six weeks, was informed that they would pay the men "when they saw proper," and that anyone refusing those terms would "be compelled to clear out of the houses immediately," and that the spokesman "would be at once dismissed" ; and whether he is aware that the houses referred to were built by the men and their forefathers ?

\*THE LORD ADVOCATE (Mr. J. B. BALFOUR, Clackmannan, &c.) : It is the fact that a deputation of the slate quarriers waited upon Messrs. Maclean and Co., lessees of the Cullipool quarries, asking payment of their wages every six weeks, and that the quarriers refused to resume work unless their request was granted. They came to terms on all

*Mr. Campbell-Bannerman*

points except in regard to the occupation of their houses some time ago; and from a telegram received yesterday I conclude that this matter has also now been arranged. The houses are held by the Messrs. Maclean along with the quarries under lease from Lord Breadalbane. I have no information as to the persons by whom the houses were originally built.

#### PIGEON HOUSE FORT.

**MR. W. KENNY** (Dublin, St. Stephen's Green): I beg to ask the Secretary of State for War if he can now state, for the information of the Corporation of Dublin, the terms on which the Corporation may acquire the Pigeon House Fort, so that the drainage works which are urgently needed may be commenced as soon as possible?

**\*MR. CAMPBELL-BANNERMAN**: The matter is now under consideration. No time shall be lost in coming to a decision.

#### SIR CHARLES ELLIOTT.

**MR. SCHWANN** (Manchester, N.): I beg to ask the Under Secretary of State for India whether Sir Charles Elliott, the Lieutenant Governor of Bengal, has asked for a prolongation of his present leave; and whether Her Majesty's Government has decided to appoint him to some Colonial Governorship?

**MR. G. RUSSELL**: The answer to both of the questions is in the negative.

#### ARMY EXAMINATIONS.

**COLONEL NOLAN** (Galway, N.): I beg to ask the Secretary of State for War if an examination for Army candidates, which includes Military Law, will be held in September; and if no new *Queen's Regulations*, embodying the recent changes in the Army Discipline Act, has been published; and if, unless a new *Queen's Regulation* is published a reasonable time before such examination, he will direct that the examiners do not set questions affected by such recent changes of the Army Discipline Act?

**\*MR. CAMPBELL-BANNERMAN**: An examination for Army candidates in Military Law will be held in September. The new edition of the *Queen's Regulations* will not be published before October; but no questions affected by the recent changes in the Army Act will be set.

#### THE RIVER SUCK DRAINAGE WORKS.

**MR. HAYDEN** (Roscommon, S.): I beg to ask the Secretary to the Treasury whether the Commissioners of Public Works in Ireland have declared their inability to advance this year the balance of the grant sanctioned by Parliament for the completion of the River Suck drainage works; and whether, in view of the facts that the time for the completion of these works will expire at the end of this year, and that the Drainage Board have been urged by the Commissioners of Public Works to employ as many men as possible so as to complete the works within the prescribed period, the Treasury will make some arrangements by which the balance of the grants may be made available this year?

**COLONEL NOLAN**: At the same time may I ask the right hon. Gentleman whether the time for the completion of the River Suck drainage works will expire at the end of this year; and whether, considering that the Commissioners of Public Works in Ireland have urged the Drainage Board to employ as many men as possible so as to complete the works within the prescribed time, the Treasury will advance, during this year, the balance of the grant sanctioned by Parliament for the completion of the works?

**\*THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The Government are unable to submit a Supplementary Estimate for this service during the present year, but the Treasury and the Board of Works are concerting financial arrangements with a view to preventing any stoppage of the works for want of funds. I understand that the time for completion can, if necessary, be extended by the Board of Works with Treasury assent.

**MR. HAYDEN**: Will the financial arrangements involve the payment of interest to the Board?

**SIR J. T. HIBBERT**: That will rest with the Treasury and the Board of Works.

**COLONEL NOLAN**: Did not the late Government make the grant for these works?

**\*SIR J. T. HIBBERT**: Yes; the difficulty is, however, that provision has not yet been made in the Estimates for the whole of the amount granted.

MR. T. W. RUSSELL (Tyrone, S.) : When may we expect the works to be completed ?

\*SIR J. T. HIBBERT : I hope very shortly, if the weather keeps fine.

#### THE INSPECTION OF LAUNDRIES.

MR. BEITH : I beg to ask the Secretary of State for the Home Department if he has received a resolution from the Trades Council of Inverness in favour of placing laundries, in which women are employed, under the Factories Act ; and if he has yet seen his way to include laundries within the provisions of this Act ?

MR. H. GLADSTONE : I have received this resolution and many others of a similar character. The Inspectors of Factories have received instructions to make special inquiries all over the Kingdom into this question. It is, of course, impossible to legislate on the subject this year.

#### THE SUPERANNUATION OF ELEMENTARY TEACHERS.

SIR R. TEMPLE (Surrey, Kingston) : I beg to ask the Vice President of the Committee of Council on Education whether the recently - appointed Committee on the Superannuation of Elementary Teachers has begun its work, and whether progress is being made with its inquiries.

\*MR. ACLAND : The Committee have held one meeting, at which the course of procedure to be adopted for the preparation of alternative schemes was settled. Owing to the fact that the members of the Committee will mostly be absent on vacation during the next two months, it will be impossible for them to meet during that period ; but subsequently it is proposed to hold meetings weekly (or oftener if found desirable) in order that as speedily a solution as possible of the question may be arrived at.

#### THE INDEPENDENCE OF SIAM.

SIR R. TEMPLE : I beg to ask the Under Secretary of State for Foreign Affairs whether there is truth in the reports that the King of Siam is being required to undertake that concessions for material improvement in the Eastern Siamese Provinces shall be reserved for the French exclusively ; and whether the French Government continues to give

assurances of its desire to respect the independence of Siam ?

\*SIR E. GREY : The Reports we have received of the French proposals do not include a demand for such an undertaking on the part of the Siamese Government. There has been no withdrawal of the assurances given by France.

#### THE PAYMENT OF MEMBERS.

MR. FIELD (Dublin, St. Patrick's) : I beg to ask the Chancellor of the Exchequer whether, inasmuch as an unrepealed Act still remains upon the Statute Book which empowers the Government to maintain any Member who applies to have payment made him, and pending the Resolution for Payment of Members becoming law, the Government intend to put this Act into force for such Members as may make application ; whether the Government will introduce a Bill to bring this Parliament into similar practice with its own Colonies, as shown in the Return furnished by the Governors of Newfoundland, Natal, Cape of Good Hope, South Australia, New Zealand, Queensland, New South Wales, Victoria, Canada, and Tasmania regarding the Payment of Members, which is customary in most Constitutionally-governed countries ; and whether the Government will consider the arrangement of free passes on railways, a system generally prevailing outside the United Kingdom ?

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby) : I stated my views on this subject in the Debate on the 24th March, and I have nothing to add to that statement.

#### THE NORTH-WEST FRONTIER.

MR. SNAPE (Lancashire, S.E., Heywood) : I beg to ask the Under Secretary of State for India if he has observed the telegraphic despatch published in *The Times* of Saturday last which declares that the 23rd Pioneers are marching into Chilas in accordance with the pre-arranged programme ; can he inform the House if there is a pre-arranged programme and what are its objects, also why British-Indian troops are marching into Chilas, which is far beyond the boundaries of Her Majesty's dominions ; and whether a considerable escort has been sent on the Khagan route to Gilgit ; and, if so, what the escort is to convoy, and what



is the object of this military operation in these remote regions ?

MR. G. RUSSELL : The 23rd Pioneers are engaged in making a new road from Abbotabad *viâ* Knagan and the Babosar Pass to Chilas. This road will afford a shorter and easier communication with Gilgit than the present one. The first 140 miles are in British territory. The last 20 between the Babosar Pass and Chilas are in territory which is tributary to the protected State of Kashmir. The Secretary of State has no information of any "escort" being sent on the Khagan route such as is referred to by the hon. Member.

MR. SNAPE : I beg to ask the Under Secretary of State for India if he is aware that it has been publicly stated that we have overstepped the Indus by hundreds of miles ; that we have a railway station within 60 miles of Kandahar, and military posts in the Zhob and Gomal Valleys ; that we have pledged to the Ameer the integrity of Herat, Maimena, and Andkui ; that we are contemplating a railway up the valley of the Kabul river, and have established garrisons at Gilgit and Chittal ; whether he will present Papers to Parliament showing under what authority the Indian Government has overstepped the Indus by hundreds of miles, accompanied by a map describing the extent of territory so included ; when and under whose orders military posts were established in the Zhob and Gomal Valleys ; and also what garrisons were established at Gilgit and Chittal ; and whether the official documents can be laid upon the Table of the House by which we have pledged to the Ameer the integrity of Herat, Maimena, and Andkui ?

MR. G. RUSSELL : The Secretary is aware that various statements have from time to time appeared on these subjects, for which he is in no way responsible. The portion of our frontier to which the hon. Member presumably refers as overstepping the Indus by hundreds of miles is Quetta and the territory in its vicinity. The Papers in regard to the occupation of Quetta will be found in Parliamentary Paper (Baluchistan) (No. 2), 1877, and a map showing the extent of territory brought under the control of the Indian Government in that district was placed in the Library of the House at Mr. Slagg's request in 1888. The military

posts in the Zhob and Gomal Valleys consist of local tribal Militia, and were established under the orders of the Government of India, approved by the Secretary of State in 1889 and 1890. In regard to Gilgit, which is part of Kashmir, a garrison consisting of three Kashmir regiments, one company of Kashmir sappers, and a mountain battery (Kashmir) is stationed in that territory. The Political Agent who is posted there has an escort of 200 Sikh Infantry. There is no British garrison at Chittal. A Mission was recently deputed there at the request of the new Ruler, Mehtar Nizam-ul-Mulk, and the Gilgit Agent's escort of 200 men accompanied the Mission. On the Mission being withdrawn, an officer was left there temporarily ; also, at the Mehtar's request, he retains one-half of that escort. The official Document, in which our pledge regarding the integrity of the Ameer's territory is recorded, will be found at page 40 of Parliamentary Paper (Afghanistan) (No. 1), 1881. The Secretary of State will consider whether Papers can be presented with regard to the Zhob and Gomal Valleys ; but it would not, in his opinion, be for the interests of the Public Service at the present time that Papers should be presented on the other subjects referred to by the hon. Member.

MR. SNAPE : Does the Secretary of State for India deny the allegations contained in the question, and is he aware that they were made public by his predecessors in Office ?

MR. CURZON (Lancashire, Southport) : Inasmuch as the statement in the question on the Paper emanated from myself, I beg to ask the Under Secretary whether it is not the case that the frontier policy there alluded to was explained at length to this House in the Indian Budget Debate of 1885, and was received without criticism or opposition by the Liberal Party, and was further discussed at length on March 13, 1888, when Mr. Childers, speaking on behalf of the Party opposite, accepted that policy, and declined to vote against it, and when, upon a Division, it was approved by a majority of 50 ?

MR. G. RUSSELL : I believe the facts are as stated by the hon. Gentleman opposite. With regard to the supplementary question of the hon. Member for Lancashire, I have only to in-

form him that the words of the answer have been carefully studied, and I am not disposed to subtract from or add to them without consultation with the Secretary of State.

MR. A. C. MORTON : May I ask whether the speech of Mr. Childers, delivered in 1888, pledges the Liberal Party of to-day ?

[No reply was given.]

#### THE IMPORTATION OF RAGS.

MR. MACDONA (Southwark, Rotherhithe) : I beg to ask the President of the Local Government Board whether the Senate of Hamburg has issued an Order to prevent the importation into Hamburg, and prohibited transit over territory under its control, of rags and bedding imported from Russia, actuated by the experience of what the people of Hamburg suffered in 1892 ; and whether he will consider the advisability of adopting a similar course in this country ?

\*MR. H. H. FOWLER : The only information I have as to the Order referred to is contained in a telegram from Berlin to the effect that the Senate of Hamburg has issued Orders

“ Prohibiting the importation into or transport through Hamburg of old clothes and dirty body and bed linen from Russia. Passengers' luggage is excepted.”

The Order of the Local Government Board of August 5 deals with articles of a similar character. The Order prohibits the landing in England of “ dirty bedding or disused or filthy clothing, whether belonging to emigrants or otherwise,” except under certain specified conditions as to disinfection.

MR. MACDONA : Is not the importation of rags prohibited in New York unless they are first disinfected ?

MR. H. H. FOWLER : I have no information upon that point. There are rags called rags of merchandise in bales which have been collected during a long series of years, and the importation of such rags is not prohibited in any country.

#### MURDER IN CORK PARK.

MR. MAURICE HEALY (Cork) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether anyone has been made amenable in respect of the recent murder of a woman in the

*Mr. G. Russell*

Cork Park ; whether there have been any complaints as regards the absence of a police patrol at night in the vicinity mentioned ; whether there was any patrol there on the night of the murder ; and, if not, what was the reason ; could he state what is the number of policemen now serving in the city, and how many are on day duty and night duty respectively ; and whether the Police Authorities will arrange to have a police patrol sent into the suburbs at 7 p.m., instead of at 8.30 p.m. as at present, especially on Sunday evenings ?

MR. J. MORLEY : No person has yet been made amenable for the murder of this woman, but the police are still hopeful of tracing the perpetrators of the crime. It is a fact, I understand, that complaints were made as to the absence of police patrols in the vicinity mentioned, though it appears that at the late Cork Assizes the Judge expressed himself satisfied that there had been no neglect of duty in the matter on the part of the Constabulary. There was, I am told, a patrol in the vicinity on the night of the occurrence. The total strength of the Cork City Force is two District Inspectors and 193 men of all ranks, of whom 65 are employed on day and 92 on night duty, and there are 11 mounted men and eight detectives who perform day and night duty indiscriminately. There are also six rural stations with a total strength of 30 men, who are constantly patrolling towards the city. As to the last paragraph, it is reported that patrols do not start for the suburbs at 8.30 p.m., as alleged, but at 7 p.m., as a rule, and sometimes as early as 6.30 p.m. The Sunday patrols invariably start earlier.

#### THE DUBLIN SEWAGE DIFFICULTY.

MR. FIELD : I beg to ask the Secretary of State for War whether he is aware that all the sewage works from Kingston-on-Thames to Barking are in the midst of thickly-populated districts ; whether the Pigeon House Fort was full of troops about the time when the Rathmines and Pembroke townships arranged to run their sewage through the Fort and deposit it in a crude state into the Liffey lower down ; whether the War Office offered any opposition to that proposal ; whether at present the Fort is mainly occupied with old stores and a few

sentinels; whether the War Office has received the Report of the Government chemists and leading engineers of the Kingdom declaring that the site selected for the treatment of the sewage at Dublin is the best in the Three Kingdoms; and whether, in view of this statement, and in view of the fact that the Dublin Corporation some time since gave Richmond Bridewell to the War Office to be used as a military barracks, the Government will now reciprocate by handing over the Pigeon House Fort to the Corporation, so that the main drainage scheme may be immediately commenced in the interests of public utility?

**\*MR. CAMPBELL-BANNERMAN:** In answer to the question of the hon. Gentleman, I have to say that I am aware that in London the sewers must necessarily pass through thickly-populated districts; but the question here is not as to sewers, but as to the outfall of sewage. The average number of troops at Pigeon House Fort in 1876, when the Rathmines drainage scheme was introduced, was about 150. The proposal as actually carried out was at first opposed by the War Office; but as it was only a question of the drainage of two rich residential townships with a small population and a relatively large consumption of water, and as no question of open settling tanks was involved, opposition was ultimately withdrawn. When it was reported that the whole of the sewage of South Dublin was to be embraced in the scheme, the Military Authorities offered the strongest objection, and insisted that the sewage, in that event, should be carried out to Pool Beg lighthouse. The War Office only finally withdrew its opposition on the assurance of the Commissioners that they had no powers to include South Dublin. The question now is not as to the south of Dublin only, but relates to the sewage of the whole city. Pigeon House Fort contains some of the most important ordnance stores for the supply of Ireland, and its garrison varies from 100 to 300 troops. The War Department received the Report of the experts employed by the promoters of the scheme, and referred it for the consideration and report of the Army Sanitary Committee—a competent tribunal, which includes three unofficial members of great authority on these subjects, and whose opinion I was bound to take in the interests of

the soldier. That Committee reported to me that the scheme was in certain respects unsatisfactory as affecting Pigeon House Fort. Richmond Bridewell was not given by the Dublin Corporation to the War Department. It was the property of the Prisons Board, which, when it had no further use for it, surrendered it to the War Department, under Clause 31 of 40 & 41 Vict., c. 49, Prisons (Ireland), thus saving the cost of its maintenance. Pigeon House Fort was purchased from the Corporation of Dublin for a sum of over £100,000, and more than £60,000 has been expended upon it, and it could not be surrendered without the provision of equivalent accommodation.

**MR. HAYDEN:** Was Richmond Bridewell originally built at the expense of the Government, or of the ratepayers of Dublin?

**\*MR. CAMPBELL-BANNERMAN:** It was originally built at the expense of the ratepayers, and then passed into the hands of the Prisons Board.

**MR. FIELD:** And is no compensation to be allowed to the inhabitants for the appropriation of the Bridewell by the War Office. Considering the enormous issues at stake, will the right hon. Gentleman endeavour to get this matter settled?

**MR. CAMPBELL-BANNERMAN:** I am doing all in my power to secure that.

**MR. CARSON:** What was the price paid for Pigeon House Fort?

**MR. CAMPBELL-BANNERMAN:** I have answered that.

**MR. CARSON:** Is it not a fact that the letter of the Dublin Corporation has not been answered?

**\*MR. CAMPBELL-BANNERMAN:** I have said that the matter is still under consideration. I cannot answer until we have the materials on which to frame an answer.

**MR. T. M. HEALY (Louth, N.):** May I ask whether, according to the Papers presented by the late Government, Richmond Prison is not worth at least £100,000? Is it not fair to the Corporation to remember that the Government have now got a splendid new barracks with three acres of land attached?

\*MR. CAMPBELL-BANNERMAN : I am not acquainted with the circumstances attending the transfer of the prison.

#### THE EMPLOYERS' LIABILITY BILL.

MR. BARTLEY (Islington, N.) : I beg to ask the Secretary of State for the Home Department whether, as "The Employers' Liability Act, 1880," is to be continued under the Expiring Laws Continuance Bill now before the House, it is intended to proceed with the Bill to amend that Act in the Autumn Session?

MR. H. GLADSTONE : I must defer giving an answer to this question until the First Lord of the Treasury makes a general statement on the arrangements for Business.

#### THE LABOURERS (IRELAND) ACTS.

MR. BARTLEY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many houses for labourers in Ireland have been put in proper sanitary condition under "The Labourers (Ireland) Act, 1883," being one of the Acts to be continued under the Expiring Laws Continuance Bill now before the House?

MR. J. MORLEY : The provision enabling Rural Sanitary Authorities to put in repair existing cottages is contained in Section 16 of the amending Act of 1885, and the total number of cottages thus repaired to March 31 last was 62.

MR. BARTLEY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what amount was lent and how many dwellings of the labouring classes in Ireland were improved in each of the last five years under 23 & 24 Vict., c. 19, being one of the Acts to be continued under the Expiring Laws Continuance Bill now before the House?

MR. J. MORLEY : The last Annual Report of the Commissioners of Public Works in Ireland contains, at page 18, a Table showing the number and amount of loans sanctioned in each of the past 10 years for dwellings for agricultural labourers under the Act mentioned in the question of the hon. Gentleman. I have called for information as to the number of dwellings improved, but regret I am not in a position to give it to-day.

MR. M. HEALY : Is it not the fact that the Act referred to in the question relates only to landlords' property?

MR. J. MORLEY : I believe that is so.

#### POSTAL TELEGRAPH GUARANTEES.

MR. GIBSON BOWLES (Lynn Regis) : I beg to ask the Postmaster General whether he can state on what principle the amount of guarantee is calculated that is required by the Post Office from persons who desire the postal telegraph to be extended to their neighbourhood, in cases where it is anticipated that the revenue from such an extension will be insufficient to meet the expenditure thereon; how the amount of the total sum to be guaranteed is arrived at; whether this sum includes the cost of wires, poles, and other materials, as well as of the labour for setting up the length of telegraph required, or whether this cost is borne wholly or in part by the Post Office; and whether there has been any recent change in the method of dealing with these matters; if so, what the change is, and when it was made?

\*MR. A. MORLEY : The amount is made up of (1) interest at 3 per cent on the outlay of the Department for poles, wires, and other materials and labour, and (2) an annual provision for the maintenance and the working of the telegraph. The guarantors are not required to pay the amount of the guarantee; but if the Revenue in any year falls short of that amount, they are called upon to pay the difference. A change was sanctioned by the Treasury in August, 1891, when guarantors were relieved of the burden of providing for the repayment of the capital outlay. By the Post Office Act of the same year, Rural Sanitary Authorities were empowered to give guarantees.

MR. GIBSON BOWLES : And in case the guarantee has to be paid and the Post Office cease the telegraph connection, are the wires handed over to the guarantors?

MR. A. MORLEY : The guarantee is only for seven years, and at the end of that time the question arises shall the telegraph service be continued?

In reply to a further question by Mr. GIBSON BOWLES,

\*MR. A. MORLEY said, the new Regulation was not retrospective.



## MACHINERY IN ROYAL MINES.

MR. PRITCHARD MORGAN (Merthyr Tydfil): I beg to ask the Secretary to the Treasury whether the Woods and Forests Office is allowing to be removed from Royal mines—namely, the Moel Ispri and Champion Mines, near Dolgelly—machinery and fixtures erected upon such Royal mines; whether there is a clause in the lease entitling the Crown to purchase from the lessees, upon the termination of the lease, all gold machinery at a valuation; and, if so, why such powers of purchase are not exercised with a view to renting or selling it to one of the numerous applicants for a fresh lease; and whether the Crown has power, at Common Law or otherwise, to prevent the removal of fixed machinery (erected solely for the purpose of extracting gold) from these Royal mines; and, if so, whether, in the interests of the State and the industry, they will exercise such power?

\*SIR J. T. HIBBERT: The machinery and fixtures at the Moel Ispri and Champion Mines have, it is understood, been sold, and will, it is presumed, be removed unless purchased by those to whom a fresh lease of the mines has been offered. There is a clause in the lease giving the Crown the option of purchasing the machinery, but it is not the usual practice of the Commissioners of Woods to exercise this option, and it was not considered expedient to depart from the usual practice in the present instance. The lessees are, therefore, entitled to sell or remove the machinery.

## + BRITISH INTERESTS IN SIAM.

MR. CURZON: I beg to ask the Under Secretary of State for Foreign Affairs whether it is true that the French are fortifying Chantaboon, in Siam; that they have demanded exclusive concessions for public works in Battambang and Angkor, or in any of the Siamese provinces, as well as the expulsion of all or certain European officers from the service of the King of Siam; whether these fresh demands are consistent with the pledges given by the French Government to respect the independence of Siam; and whether Her Majesty's Government still adhere to Lord Rosebery's statement on 17th July, that the independence and integrity of Siam is a sub-

ject of grave importance to the British, and more especially to the British Indian Empire, and that Her Majesty's Government are fully alive to their responsibilities in the matter; and, if so, what steps are being taken by Her Majesty's Government in discharge of those responsibilities?

\*SIR E. GREY: We have no official confirmation as to the expulsion of any European officers. Her Majesty's Government do adhere to the statement made on the 17th of July, and Lord Dufferin returns to Paris this week to resume the negotiations on the lines previously agreed upon with the French Government and stated in this House as necessary to safeguard British interests.

MR. CURZON: The hon. Baronet having replied to a previous question that he has no information as to Chantaboon, because we have no Agent there, I now desire to ask him, since Chantaboon is connected by wire with Bangkok, whether he will telegraph for information to the British Minister at Bangkok; also, whether the House is to understand from his reply that the French Plenipotentiary is believed by the Government not to have exceeded the terms of the last ultimatum accepted by Siam, and that no such excess is to be anticipated; and, lastly, am I to gather that Her Majesty's Government will not regard with equanimity any further encroachments upon the independence of Siam, which has been declared by them to be a matter of grave importance to the British Empire?

\*SIR E. GREY: I think the best mode of answering this question is to recall to the hon. Member and to the House the statement previously made with regard to British interests. It is to the effect that Great Britain is interested in having a neutral zone between the two countries; that British trade has to be protected; and that the Government keep in view the fact that Great Britain has interests in the maintenance of the independence of Siam. When Lord Dufferin returns to Paris these matters will be present in his mind. So far it has only been necessary to negotiate as to a neutral zone in a certain part. The assurances given by the French Government with regard to the independence of Siam still holds good. It is not, therefore, necessary that any negotiations should take place with regard to that

point. As to the desires for further information in connection with the demands made by the French Government, it would, I think, be convenient to await the return of Lord Dufferin to Paris, in order to obtain that information from the most authoritative source.

MR. CURZON: Will the hon. Baronet inquire as to what is going on at Chantaboon?

\*SIR E. GREY: I do not attach the same importance to this rumour as the hon. Member, as the information in possession of the Government goes to show that there are in Chantaboon 450 French and over 4,000 Siamese troops. Under these circumstances, it is quite possible that some earthworks may have been constructed by the French as a temporary precaution. I think it undesirable to attribute undue importance to the matter by making special inquiry by telegraph.

SIR R. TEMPLE: Will the hon. Baronet inquire whether British enterprise is to have an equality with French enterprise in all parts of the independent Provinces of Siam?

SIR E. GREY: That would be a subject for negotiation with Siam as an independent State.

#### THE NATIONAL TELEPHONE COMPANY.

MR. A. C. MORTON: I beg to ask the Postmaster General whether, before entering into any agreement with the National Telephone Company, he will, in the interest of telephone users and the Municipal Authorities of this country, lay a draft of the proposed Agreement upon the Table of this House?

\*MR. A. MORLEY: Similar questions were put to me on the 31st ultimo and on the 18th instant, and I must refer the hon. Member to the replies which I gave on those occasions.

MR. HENNIKER HEATON: This is a matter of very great importance. May I inquire whether the Agreement will be signed very shortly; and whether it will be placed upon the Table in order to be subject to the approval of Parliament?

MR. A. MORLEY: I hope it will be signed very shortly. As I have already stated, it will be submitted to Parliament.

MR. A. C. MORTON: Considering the importance of this question to the country, and especially to traders, may I ask why Parliament cannot see the

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Agreement before it is signed? Why should there be any secrecy in the matter; and might not the Municipal Authorities have an opportunity of laying their case before the right hon. Gentleman?

\*MR. A. MORLEY: There is no necessity for that, as the position of the Municipal Authority will not be affected by the Agreement. A Committee of the House of Commons has considered the whole subject, and reported that the details ought to be carried out upon the responsibility of the Government of the day, and that the Agreement should be laid before Parliament.

MR. HENNIKER HEATON: Will the Agreement be signed almost immediately?

MR. A. MORLEY: I hope very shortly.

#### CHOLERA AT MECCA.

SIR H. ROSCOE (Manchester, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether information has been received by Her Majesty's Government that, in spite of the outbreak of cholera at Mecca, many pilgrims who are British subjects have been compulsorily detained at that city by the illegal action of the Governor, when desirous of proceeding at once to the coast to embark; if so, what steps the Government have taken to put an end to such proceedings?

\*SIR E. GREY: Information to this effect has been received, and urgent representations were immediately made at Constantinople by Her Majesty's Chargé d'Affaires. Instructions were then sent by the Sultan to the Governor of Mecca not to interfere with the departure of the pilgrims. It appears, however, that such interference did take place to an extent which is said to have caused great injury to the pilgrims, and considerable loss to certain British ship-owners. Her Majesty's Government are now investigating the circumstances in view of the possibility of being able to advance claims for damage inflicted, and in order to prevent the repetition of any such injustice on a future occasion.

#### BUSINESS OF THE HOUSE.

#### AN AUTUMN SESSION DECIDED UPON.

SIR R. TEMPLE (Surrey, Kingston): I beg to ask the First Lord of the Treasury whether he intends to take up the

Saturdays 9th and 16th September for Supply, or whether Members may reckon on having those days free?

\*SIR C. W. DILKE (Gloucester, Forest of Dean): Will the right hon. Gentleman say what course the Government propose to take in regard to Friday nights?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): As to the arrangements of the Business of the House during the close of the Session, I think it would be convenient that I should state consecutively, at the proper time, the entire arrangements that we should advise the House to adopt. Therefore, either to-night or to-morrow, I hope to give notice of the terms of a Resolution to be moved on Monday next, and in which the whole of the particulars will be set forth. In the meantime, I may state that the Government have so far considered the position of the House that they have determined, at the close of Supply, that they will advise the House to adjourn till Thursday, November 2, for the propose of then proceeding with Business.

MR. A. J. BALFOUR (Manchester, E.): The right hon. Gentleman has told us the fact and date of the Autumn Session. Will he supplement that by a statement as to the nature of the Business to be then proceeded with?

MR. W. E. GLADSTONE: I said I would give notice of the Resolution for Monday, thinking that would be a good opportunity for giving particulars.

#### GIBRALTAR DOCKYARD.

SIR R. TEMPLE: I beg to ask the First Lord of the Treasury whether he will cause the Navy Vote relating to Gibraltar to be taken at a time which may allow discussion on the future dockyard there?

MR. W. E. GLADSTONE: The proper time for this discussion will be on Vote 10 of the Navy Votes. Due notice will be given when the Vote will be taken.

#### ILLITERATE VOTERS.

MR. BARTLEY: I beg to ask the First Lord of the Treasury whether he is aware that the Parliamentary and Municipal Elections (Ballot Act) expires on the 31st December next, and is on the Expiring Laws Continuance Bill now

before the House to be renewed; whether he is aware that Clauses 26 and 27 of the First Schedule, and part of the Second Schedule, grant special provisions for illiterates voting in the presence of the agents of the candidates, and that those provisions apply to Great Britain and Ireland; and whether he will consent, in renewing the Ballot Act in the Expiring Laws Continuance Bill of this year, to withdraw these and other clauses that may be necessary, and so repeal these clauses, and do away with illiterate voting for Parliamentary and other elections in England, Scotland, Wales, and Ireland at one and the same time?

MR. W. E. GLADSTONE: I have no doubt that the question is one for discussion, but it would not be usual to include in this discussion on the annual Act such questions as that.

MR. BARTLEY gave notice that on the Expiring Laws Continuance Bill, in Committee, he would move to leave out certain clauses in the Bill giving special advantages to illiterate voters in this country.

MR. T. M. HEALY: Would that be in Order? Must not each Bill, as a whole, be either included or excluded?

\*MR. SPEAKER: The question will arise in Committee, but I entertain grave doubts as to the regularity of the course suggested by the hon. Member for North Islington.

#### THE TREASON-FELONY CONVICTS.

MR. W. REDMOND (Clare, E.): I beg to ask the First Lord of the Treasury whether he is aware that there exists a strong feeling throughout Ireland that the time has arrived for a reconsideration of the cases of the Irish prisoners now undergoing sentences under the Treason Felony Act; and whether, in consideration of this strong feeling in Ireland, he will consult with the Home Secretary with a view to the release of John Daly and the other prisoners?

MR. W. E. GLADSTONE: The Secretary of State answered a similar question the other day. The Government do not see any cause which would justify them in interfering with that decision.

#### THE QUEENSTOWN MAIL ROUTE.

MR. HAYDEN: On behalf of my hon. Friend the Member for the College

Green Division of Dublin, I beg to ask the Postmaster General what, in the event of his recent offer to the several Shipping and Railway Companies for the special conveyance of the American mails from Queenstown to London being accepted, will be the mileage rate receivable by the London and North-Western Railway?

MR. A. MORLEY: Negotiations with the various companies are pending, and I do not think any good purpose will be served by discussing the details of the different arrangements.

### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL.

(No. 448.)

#### THIRD READING. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment [30th August] proposed to Question, "That the Bill be now read the third time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Courtney.*)

Question again proposed, "That the word 'now' stand part of the Question."

MR. TRITTON (Lambeth, Norwood) said, that in resuming his speech against the Third Reading of this Bill he wished, in the first place, to express his regret that on the preceding afternoon he inadvertently misquoted some words used by the Prime Minister; and he proposed, in the next place, to call attention to the statement of the Chief Secretary in his eloquent speech at Newcastle on Saturday last, that the Government had made the Home Rule Bill a "workable scheme." He wondered how many Members of the House thought that statement correct. The right hon. Gentleman devoted a considerable portion of his somewhat lengthy oration to severely criticising the conduct of the Opposition, and then went on to say—

"We gave a pledge to bring before Parliament a scheme which should satisfy Irish desires, which should meet the necessities of Irish social life, and should endanger no great British interest. We have fulfilled that pledge."

But had the Government satisfied Irish desires? Why, the very first time an

*Mr. Hayden*

Irish Member had risen in his place in the House since the delivery of the Chief Secretary's speech he said—

"One result of the discussion in Committee was thoroughly satisfactory. As the Bill now stood, no man in his senses could any longer regard it either as a full, a final, or a satisfactory settlement of the Irish national demand. The word 'provisional' had been, so to speak, stamped in red ink across every page of the Bill."

The hon. Member for Waterford, to whom he referred, further said the Bill would not be a satisfactory settlement to either country, because no settlement would be satisfactory to England which did not end the Irish Question, and no settlement would be satisfactory to Ireland which did not make Irishmen masters in their own country. So much for "the workable scheme" which would satisfy the Irish Members. As a man of business he was strongly opposed to the Bill. As a member of the London Chamber of Commerce he had great respect for the views of kindred organisations, and he could not get over the protests of the Belfast Chamber of Commerce, the Dublin Chamber of Commerce, the Linen Manufacturers' Association, and the Dublin Stock Exchange. He did not know if business men opposite believed the airy assertion of the Prime Minister that the Bill would produce a wonderful plethora of money in Ireland; but evidently business men in Ireland did not look forward to prosperity under Home Rule, for they had pronounced strongly against the Bill; that it would be detrimental to trade and commerce; that if it became law security, credit, and capital would vanish, and starvation of labour set in. He therefore, as a business man, protested against this unbusinesslike Bill being allowed to be read a third time. He further objected to the Bill from the teetotal point of view, and he was surprised that none of the so-called "temperance" party had risen to object to a Bill which made the solvency of Ireland depend on the consumption of whisky, and which made temperance legislation impossible in Ireland—because it would involve national bankruptcy. A widespread increase of habits of temperance among the people would mean financial ruin to the Irish Exchequer. Even the Chancellor of the Exchequer—the right hon. Gentleman the Member for Derby—would not venture to use his



splendid rhetorical powers in a crusade in poor drink-trodden Ireland, because the Irish Chancellor of the Exchequer would protest against his action as likely to lead to the bankruptcy of Ireland. He also objected to the Bill because of the danger it involved to the loyal Protestant minority. The Prime Minister said the pleas put forward by the Opposition against the Bill were "enormous, monstrous, and hideous falsehoods," though he was kind enough to add that he believed in the sincerity of those who advanced them. The voice of the Protestant minority had been pretty largely heard, and appeals had been made, especially by Nonconformists, begging their brethren in this country to do something to oppose the Bill, and thereby save them from having their religious liberties imperilled and placed under the domination of the Irish priesthood. He wished to know whether the Prime Minister desired it to go forth to the country that these appeals were nothing but enormous, monstrous, and hideous falsehoods? He could hardly fancy that one who, like the right hon. Gentleman, owed his present position so largely to the votes of the Nonconformists of England, would wish such a statement to go forth respecting the pleas put forward against this pernicious Bill by the Nonconformists of Ireland. He (Mr. Tritton) only wished that some of the gentlemen opposite would have the courage of their convictions on this subject. He believed that when the days of Gladstonian glamour and Sextonian supremacy had passed away there were many Members opposite who would wish to God they had never helped in carrying this Bill through its Third Reading. The other night he dreamt—he knew it was wrong for a middle-aged Conservative to dream; the young men of the Eighty Club were the only men who ought to have dreams; but he was thankful that the Prime Minister could not gag Members in the hours of darkness as well as in the hours of light—he dreamt that just before a most critical Division in the House of Commons the Home Secretary (Mr. Asquith) rose in his place and asserted, in that patronising manner which some of his friends regretted that he had so much acquired since he took Office, that he had been especially authorised by the Government to say that on that

occasion hon. Members would be allowed to vote according to their convictions. He (Mr. Tritton) was afraid that this dream would not come true; but he still ventured to hope that some gentlemen opposite, recognising the unworkability of that scheme, the want of real safeguard, either material or moral, for the loyal minority in Ireland, and the solemnity of the occasion on which they were to give their votes might, before it was too late, go over and help the Unionist Party to defeat the most miserable and the most mischievous measure which had ever been proposed by a responsible Government to that Imperial House of Parliament.

\*THE ATTORNEY GENERAL (Sir C. RUSSELL, Hackney, S.): The hon. Gentleman who has just spoken has made a vigorous and in parts an amusing speech. I do not think that he proposed to himself to say much, and he certainly has not succeeded in saying much, to assist the judgment of the House upon the great question before it. He began by expressing his disappointment with the character of the speech delivered by my right hon. Friend (Mr. J. Morley) last Saturday. I can only say that we on this side of the House have not been disappointed with that speech. The hon. Member referred to my right hon. Friend's statement that we have proposed to put before this House for acceptance a workable scheme of Home Rule, and he asked who believed that statement. Well, my answer is that the majority of this House believe it. About some other points of the hon. Member's speech I shall have to say something in the order in which they arise, but I must decline to follow him on this occasion into a consideration of the temperance question or the Local Veto Bill. There has been one feature of the speech of the hon. Member which has been characteristic of all the speeches delivered against this Bill up to the present time, including those of my right hon. Friend the Member for Bodmin (Mr. Courtney) and the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin). They have all said very little about the principle of this Bill. My right hon. Friend the Member for Bodmin, indeed, said that by-and-bye some such Bill might properly be accepted by this House and passed by

Parliament, but that this was not the time for it, that the question was not ripe, and that we had not behind us such a mandate from the country as would justify the House in passing such a measure. The right hon. Gentleman the Member for Sleaford took the same line of argument, but devoted the greater part of his speech to a defence of his reputation for literary accuracy. I am not going to enter into the controversy between the Prime Minister and the right hon. Gentleman upon the subject of foreign authority in relation to the Irish Question. I will make but two observations in reference to that matter. The first is that the right hon. Gentleman mistook the purpose for which the Prime Minister referred to that authority. The Prime Minister never referred to that authority as being one the volume of which had declared in favour of Home Rule. But he referred to it for the purpose of establishing the fact that there was a consensus of opinion that, owing to the long years of misgovernment of Ireland by the superior power of Great Britain, there was a debt due by Great Britain to Ireland, and not yet recognised in its legislation. When the right hon. Gentleman referred to the case of Cavour I think he entirely misunderstood the application of what he said. Count Cavour was arguing against the Repeal of the Union. That meant the restoration of Grattan's Parliament; it meant the restoration of an independent Legislature, although not accompanied by an independent Executive, and it meant the right of that independent Legislature to entertain questions touching succession, touching the Regency, foreign relations, external trade, Treaties, and the like. When in connection with his opposition to the Repeal of the Act of Union Count Cavour went on to refer to the case of Canada, he meant to express his approval of the principle of delegation by the supreme authority of Parliament to a subordinate legislative authority to deal with local affairs. But, Mr. Speaker, there has run through all the speeches delivered up to the present moment one consistent line of argument, at one moment more obviously and clearly expressed than at another, but never wanting in the whole thread of the argument. It is this—that my right hon. Friend the Prime Minister (Mr. W. E. Gladstone) has needlessly and

gratuitously brought forward this Irish Question, and made his attempt to solve it, without there being any pressing necessity for him to undertake that task. One would suppose from many of the observations made that my right hon. Friend had invented the Irish Question. Under these circumstances it is necessary to consider briefly what was the condition of things that had existed long anterior to 1886, and what it was that made it a matter of urgent necessity for the Prime Minister to attempt to deal with the question of Home Rule. We have it upon the confession of right hon. Gentlemen opposite that before 1885 the Government of the Queen, backed up by all the resources of the Empire, was not wholly powerful in Ireland, that there existed in Ireland an embittered feeling in respect of the Government which proceeded from the Imperial Cabinet and from this Imperial Parliament, and that the Irish Representatives, although they had no Constitutional resources and power at their back, were the real authority in the land—an authority, grievous to relate, often more powerful—that was the accusation of the Opposition—than the law of the land itself. For years there had been pursued an alternate system of bullying and bribing, of coercing and conciliating. At the end of that series of experiments, when in 1885 the Irish people were enabled for the first time to speak as a fully enfranchised people in the sense in which England and Scotland were able to speak, they returned out of 100 popularly-elected Members 85 Members demanding, in Constitutional language and within the lines of the Constitution, the concession to Ireland of the natural right of self-government in its own affairs. I ask, was it possible for any Constitutional Minister, much less for a Constitutional Minister heading and leading the great Liberal Party, to turn his back upon such a demand? Mr. Speaker, I have said that many plans have been tried, and that they have failed. There is one plan that has not been tried—a plan that has this in its favour—that wherever it has been tried it has never been known to fail—and that is the plan of putting responsibility upon the people for their own government. We, in 1886, looked with hope, and in 1893 we look with hope, for the speedy accomplishment of

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such a measure as being the means of at once removing, or at least of mitigating, the chronic difficulties of Irish government, and of setting free the energies of this Parliament to deal with pressing questions affecting Scotland, England, and Wales. In 1886 the Government of that day proposed a measure which may be described in a single sentence, for in that single sentence the pith and kernel of the principle of the measure is contained. It was the creation of a subordinate Legislative Authority in Ireland, and of an Executive responsible to that Legislative Authority, which should have power to legislate in respect of purely Irish affairs subject to and leaving untouched, as it is untouchable, the supreme authority of this Imperial Parliament. Well, the Bill of 1886 failed. Why? It failed mainly for three reasons. I will give these reasons, not merely for the sake of retrospect, but because they have a distinct bearing on some of the questions that are in contention to-day. The first reason was that the public of England and Scotland and Wales were, to a large extent, in a state of unpreparedness for the policy of 1886. The second reason was that by the Bill of 1886 it was proposed to exclude the Irish Members. That proposition was considered quite enough in the eyes of its opponents to condemn the Bill altogether, because it was said that the continued presence of Irish Members in this House was the sign and symbol of the continued supremacy of this Parliament, and that if the Irish Members were to go it meant separation, and nothing but separation. The third reason was that there was connected with that Bill, and forming part of the policy of that Bill, a Land Purchase Scheme. I can speak with some authority, if I may be permitted to say so, upon this matter, and I have the strongest belief that it was not the Self-Government Bill of 1886 that defeated the policy of the Government of that day half as much as the coupling with it of the Land Purchase Scheme. I will only say that in my own constituency and in other constituencies I saw placards on which was written in large letters the question—"Are you, the overtaxed British taxpayer—you, the overburdened Englishman and artizan—going to submit to be taxed to the tune of £200,000,000 in order to buy out the Irish landlords?"

I believe that although the policy came upon unprepared minds to a large extent in this country that policy, so far as self-government for Ireland was concerned, would have succeeded even in 1886 had it not been for the Land Purchase Scheme. As regards the exclusion of the Irish Members, I was then, and am now, opposed to that exclusion. I beg leave to say, if I may be allowed this brief personal reference, that in my speech upon the introduction of that measure in 1886 I expressed the earnest hope that the Government would see their way to yield on the point, not that I feared that the exclusion of the Irish Members would lead to separation, but that I was unwilling on the part of my country and on the part of my countrymen to give up a fair share in the direction of those Imperial interests which they have, according to the measure of their opportunity, their means, and their powers, done their part to build up. They have in every Department of the State done, at least, their share of the work of State service. Although the times have been, I admit, when in Imperial matters the Irish people, or a portion of them, have not mourned when the English people mourned, nor rejoiced when the English people rejoiced, yet I have lived in the hope, and still live in the hope, that the day is not far distant when existing differences will have been removed, and when Irishmen will take as much interest as any Englishman in upholding the interests of that Empire, the greatness of which they have done much to create. The plan of exclusion was universally condemned. It was condemned on all sides of this House; it was condemned in the Press and at public meetings. I must express my surprise at one statement made by my right hon. Friend the Member for Bodmin (Mr. Courtney) — namely, that the Liberal Unionist Party had not expressed any views upon that question. My right hon. Friend in effect told us that if it had been inclusion instead of exclusion, the Liberal Unionist Members would have seized upon it just as they seized upon the proposal of the Bill of 1886.

MR. COURTNEY: I said the Liberals would.

\*SIR C. RUSSELL: To use the right hon. Gentleman's expression, the opponents of the Bill seized upon the pro-

vision which came readiest to their hands. I suppose that Birmingham is some authority upon the question of Liberal Unionism, and I suppose the right hon. Gentlemen the Members for West Birmingham (Mr. J. Chamberlain) and the Bordesley Division (Mr. Jesse Collings) have some place of importance in the Liberal Unionist Party. I would remind the House that when the Bill was under discussion in 1886, and when this question of the exclusion of the Irish Members was the point of attack, a great meeting was held in Birmingham at which the resolution I am about to read was passed. Supporting this resolution were the right hon. Gentleman the Members for West Birmingham (Mr. J. Chamberlain) and the Bordesley Division (Mr. Jesse Collings), and the resolution was moved by Dr. Dale, a man of authority. It began by expressing confidence in the then head of the Government, my right hon. Friend (Mr. W. E. Gladstone), and it proceeded as follows:—

“Cordially sympathises with him as the Leader of the Liberal Party in his efforts to make a permanent settlement of the Irish Question, and heartily approves his proposal to entrust to the people of Ireland a large control over their domestic affairs by means of a Representative Assembly, provided that adequate safeguards are devised for maintaining the integrity and unity of the Three Kingdoms; that this meeting recognises in the Irish Government Bill the foundation of such a settlement, and regards with satisfaction the indications of a disposition on the part of the Government to amend the Bill by retaining Irish Representatives in the Imperial Parliament, *thus insuring Imperial supremacy and upholding the Liberal principle that taxation and representation must go together*; that this meeting trusts that the Amendment suggested, and others that may be shown to be desirable, will be accepted by the Government, and believes that by a measure so amended the just desires of the people of Ireland would be complied with, and that relations of cordiality and mutual confidence between Ireland and the rest of the United Kingdom will be established and permanently maintained.”

Well, after that, it is a notorious fact that my right hon. Friend (Mr. W. E. Gladstone), subsequently to the defeat of the Government, announced that, yielding, as he believed, to the opinion of the House, and to the strong volume of opinion out of the House, as far as he was concerned the exclusion of the Irish Members from this House had dropped out of, and would form no future part of, the scheme for the Government of Ireland. Since 1886 a good deal has happened.

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Since that date we have had announced to us by the Party opposite the policy of permanent exceptional repressive legislation. For the first time we have had on the Statute Book in a permanent form an exceptional repressive measure, which is, if the will of right hon. Gentlemen opposite prevail, to endure for ever. That policy, I contend, failed. [*Opposition cries of “Oh!”*] Will anybody say it succeeded?

MR. A. J. BALFOUR (Manchester, E.): Certainly.

\*SIR C. RUSSELL: I will make two observations in reference to that assertion. The first is, that if anyone will take the trouble to compare the administration of that repressive measure by the right hon. Gentleman in the early stages of his career, when he was young and earnest, with its administration in the later stages of his career as Irish Secretary he will find a very marked change.

MR. A. J. BALFOUR: There was a marked change in Ireland.

\*SIR C. RUSSELL: I admit it. But the right hon. Gentleman was in Office under favouring circumstances. What were those favouring circumstances? The first was as to land legislation, which your Party had done all they could to defeat, and to mar when they could not defeat it, and it was beginning to tell with some effect in Ireland. But a much more potent influence was at work in Ireland, and that was the announcement of the policy of 1886, and the fact that a great historical Party had made the question of Irish Government its own. If the right hon. Gentleman's policy succeeded, what an ungrateful country Ireland is, and what an ungrateful country Great Britain is! Because, I suppose, it will be admitted that the electors of Great Britain and Ireland conjointly turned the right hon. Gentleman out of Office. I say his policy failed, and that it did so is shown by the fact that at the end of his administration, so far from anything having been done to satisfy or meet the wishes of the Irish people, the unbending resolve of the Irish people to obtain self-government remained. To-day, even in spite of national differences, four-fifths of the Representatives of Ireland demand Home Rule. I want to know what is the question affecting England or Scotland as to which you can point to



such a preponderating force? I would say that since 1886 circumstances favourable to Home Rule have occurred. I have pointed out some of them. There has been the manifestation of a wish on the part of the Irish people to let bygones be bygones—to rase from the national memory events which have burnt deep into it, and to prefer this claim for self-government in a friendly tone—not to demand it as a weapon of offence against England, but as the concession of a just right to be used for the benefit of Ireland. What has been the change in Great Britain? I say the change in Great Britain has been great. There has been wider interest and fuller information on the question. There has been an appreciation more wide and more thorough than existed in 1886 that, after all, this scheme of Home Rule is but a scheme of delegation from the supreme authority for local legislative purposes on conditions which the supreme authority fixes, and which leave that supreme authority untouched. Above all, there is the manifestation of a charitable and kindly feeling in the generous mind of England and Scotland and Wales to make allowances for the indiscretions, for the wrong things done and said by the friends and advocates of Ireland when they were actuated almost by the spirit of despair. We approach the question now finally with these considerations, and, further, the consideration which the people of these countries, believe me, are beginning to take to heart and realise: that, after all, there is no divided interest between Ireland and the rest of the United Kingdom; that it cannot be a gain for England or Scotland that Ireland should remain discontented; and that the great volume of opposition to this concession of Home Rule comes in the main from the Party which in times past has, as long as it dared, opposed all popular reform, and that Home Rule is supported by the Party which in the past has been the great instrument for securing popular rights and defending them. I should now like to be allowed to consider briefly one or two of the main objections urged against this Bill by my right hon. Friend the Member for Bodmin. He said there was no mandate for the Bill. What does that mean? It is, of course, quite true to say that this Bill, *verbatim et literatim*, was not before the country; but

except the alteration as to the two orders which appeared in the Bill of 1886 and the question of the exclusion of the Irish Members, does anybody suppose that any intelligent politician or voter or any unintelligent politician or voter who took any interest whatever in this matter did not well know that the principle of the Bill of 1886—namely, the creation of a Legislative Body to deal with Irish affairs—was the principle by which the Liberal Party stood, and to which they would give effect at the next General Election? I do not think that many people will agree with the suggestion that this question was not before the country, and was not fully considered upon every platform where politics were discussed—[“Oh!” and *Opposition laughter*]—aye, upon every platform where politics were discussed in the seven years that intervened. I will cite the authority of my right hon. Friend the Member for West Birmingham. He says—

“We are face to face with the great fact . . . that the great majority of the Liberal Party are pledged to the principle of Home Rule, and have been strenuously endeavouring during the last seven years to make it a cardinal feature of Liberal policy.”

That is literally and absolutely true. Then it is said—“Oh, but the scant majority you have got was not got upon this question at all,” and some Members have pointed out how far that majority depends upon the Irish vote. I will do my right hon. Friend the Member for Bodmin the justice to say that he did not make that point. Why is the Irish vote to be excluded? Why are you, the advocates of unity, to use this language of separation? Why, upon a question which directly affects Ireland, in the calculation of votes are you to exclude the Irish votes? But it is said that the question of Home Rule was mixed up with other questions, and the opponents of this so-called revolutionary measure of Home Rule for Ireland suggest a revolution which is still greater, so far as our Constitution is concerned—namely, the *referendum* upon this question. I do not wish to dwell long upon the question of the *referendum*. I content myself with saying—and I fancy I shall have the assent of my right hon. Friend the Member for Bodmin—that where by the Constitution the Representative House creates and controls

the Executive Government where, as in this country, it is a Government by Party, the *referendum* can, in its proper sense, have no proper application and place. Why? Because the question for the electorate must always be, taking the policies of the two Parties before the country, which of these policies best recommends itself to support. It is said that some voters voted for Home Rule candidates because they were interested in the temperance question, and because they were interested in the Disestablishment question for Wales and Scotland. Quite possible; but were there no voters who voted in support of Conservative candidates because they were sound on the liquor question, or because they were opposed to Disestablishment? The same thing would occur if the question were referred to-morrow. So much for the question of mandate and the statement that the Bill was not before the country. It is said next that the question has not been discussed in this House. On that point I have very little to add to what the Prime Minister stated yesterday, but I should like to be permitted to say just a word or two. Four days were occupied on the First Reading of the Bill, 12 on the Second Reading, 47 in the Committee stage, 14 on the Report stage, and, if the Division takes place as arranged to-morrow night, at least three days upon the Third Reading stage. That represents the time taken in passing through Parliament four great measures of primary importance, and some of them of great Constitutional importance. It represents the total time occupied in the passage of the Act of Union, the Reform Bill of 1831, the Irish Church Disestablishment Bill, and the British North America Act. These four Bills took no more time than the time taken for the consideration of this one measure. I notice that my right hon. Friend, who always means to be perfectly candid, says—

“I will not say that the time occupied has always been judiciously expended.”

Perhaps not; but whose fault is that? That is what we say, that if you had wanted to discuss this Bill fairly and to invoke the opinion of the House upon what you believed to be essential questions, it was your own fault if you did not do it. My right hon. Friend the Member for the Bordesley Division tells

us that he is going into the villages. He seems to regard the villages as a kind of special playground of his own; and he is going to tell the villages that we have gagged—“second-hand,” by the way—the discussion on this matter. I will tell you what I think the villages will say to my right hon. Friend. They will say that if there was anything worth saying and worth listening to 80 days were ample for the purpose. But what will the country, to which hon. Gentlemen are so fond of appealing, ask themselves in their consideration of this question? They will ask themselves in what spirit the discussion of this Bill was approached by its opponents, and we shall be able to remind them that the noble Lord the Member for Paddington said—“We do not desire to amend the Bill”; that the hon. and gallant Member for North Armagh said—“We will not touch an Amendment of the Bill”; that the right hon. Gentleman the Senior Member for the University of Dublin said—“We will discuss the Bill to make it more detestable,” and that the right hon. Gentleman the Leader of the Opposition more cautiously said—

“We may move Amendments to the Bill, but we will try to destroy the Bill.”

[*Opposition cheers.*] Yes; I quite expected those cheers. That is a perfectly legitimate object on your part. You disapprove of this Bill; you regard it as a bad Bill, and you are entitled to endeavour to destroy it. Nobody can complain of that; but what I wish to enforce on the House is that from these expressions it will be apparent that the real question is not as to this or that Amendment, not as to the exact constitution of the Council, not as to the exact distribution of seats, not as to crossing the t's and dotting the i's in the drafting of Amendments, but that the question which divides that side of the House from this is whether you oppose or are in favour of the principle of autonomy in Ireland? What the country will, I think, ask itself is this: What Amendment could have been conceded by the Government, short of the destruction of the principle of the Bill, which would have done anything to conciliate, or even to mitigate, opposition? But, in fact, the Bill was much more amply discussed than the mere enumeration of the clauses and the Amendments would at all suggest,

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because both on the earlier stages, and even in Committee, the fullest licence was given both by the Chairman of Committees and Mr. Speaker to refer to other matters in connection with the Bill so far as they had any connection, even although indirect, with the particular clause or Amendment under discussion. In these circumstances, I submit to the judgment of this House and of the country that it became a question ultimately whether the minority was to overbear the majority, or whether the work on which we have spent long, tedious, and tiresome months was or was not to be thrown away. An hon. Friend of mine, the hon. Member for Argyllshire, humorously, in a thin House, described literally the position of the Opposition in relation to this Bill. He said—"You display most anxious consideration about the most minute constituent parts of this prescription, which this House of Parliament is engaged in making up. You do this, although you well know that you have arranged with a friend in another place to chuck the bottle containing it out of the window." That, literally, was a true description of the position of the Opposition in relation to this Bill. Well, the Closure has been used, "second-hand." That is a phrase of the right hon. Member for Bodmin, for which I thank him. Who has any love for the Closure? Certainly not we on this side of the House. It is an evil at the best, I admit, only to be defended where its use avoids a scandal and an evil greater still. But we had in this matter a curious suggestion from the Leader of the Liberal Unionist Party, as he desires to call himself. I refer to the extraordinary statement coming from the noble Duke delivered in Yorkshire the other day, when he told us that he should take a part, and a prominent part, in the rejection of this measure in another place, because it had not been sufficiently discussed in this House. What right has the House to which the noble Duke belongs to dictate to us in this matter what shall be the limits or mode of discussion which we judge to be best? Are they to be entitled to say—"We agree with the right hon. Member for West Birmingham that 100 days ought to have been given to the discussion, and, as only 80 days have been given, we reject the measure"? Mr. Speaker, I repudiate

this right to introduce this entirely novel doctrine, which means interference on matters under the absolute judgment and control of this House. Another point I come to is the question of the power of the Lord Lieutenant as to giving or withholding his assent to legislative measures. I am anxious to say a word about this, as I was anxious to say a word on last Friday in the discussion—rather heated—in which the right hon. Gentleman the Member for West Birmingham took part. I was anxious to join in that discussion; but it was judged by others, to whose opinion I deferred, that as the time for the Report had been fixed, and as it was then short, we ought not to curtail the use of that time by others. I wish, upon this question of the veto—as it is frequently miscalled; more correctly called the power of the Lord Lieutenant to give or withhold assent—to say a few words. The three classes of cases which have to be considered in this connection are—First, Bills which are clearly within the competence of the Irish Legislative Body, and which contain no suggestion of oppression or injustice, and as to which no difficulty arises; secondly, Bills which are outside the powers of the Irish Legislative Body, or which do contain provisions oppressive or unjust, and as to which also no difficulty can reasonably arise; thirdly, questions which may be said to be doubtful, and with respect to which the question is asked whether the Lord Lieutenant is to judge whether they are within or without the competence of the Irish Legislative Body, and, if not, who ought to judge? As to this, I wish to speak perfectly plainly as to the position I conceive the Lord Lieutenant to be in. If you will not allow to the Irish Legislative Body the possession of some modicum of common sense, I hope it is not too large a demand to make to ask that you will admit that the Lord Lieutenant may possess some portion of that important quality. If he does, the Lord Lieutenant will have only one course to follow—to be open and aboveboard with his Ministers, and to consult them from time to time in the progress of their legislative work. If he thinks that their legislative enterprises point to offences or possible offences against the 3rd and 4th clauses of this Bill, the restrictive and exemption clauses, he must warn them, and do all that he

can to avoid coming into collision with the Irish Legislative Body. And if necessary he must seek advice from the Imperial Cabinet, putting before that Body the views of his own Ministers in support of their contention and policy and being guided by the advice which he so seeks; and if, in spite of remonstrance and advice, the Irish Ministers discard his opinion, then he has his Constitutional right to dissolve Parliament, and the further Constitutional right to dismiss his Ministers. It is said that that does not meet the difficulty at all, and that the real difficulty will arise when Irish Ministers at the end of the Session, when the Appropriation Bill is a matter of urgency and the Supplies for the Public Service are needed, tack on to the Appropriation Bill some provisions which are objectionable, and then go to the Lord Lieutenant and say—"At the peril of stopping Supply refuse your assent to this Bill." In such a case—I believe it to be practically impossible—the Lord Lieutenant would be perfectly entitled to say—"You have acted in bad faith towards me; you have not informed me of this. I will not prorogue Parliament; reconsider your Bill. I will take advice, and, if necessary, delay the prorogation of Parliament." That would be the obvious and perfectly Constitutional course to take. Then it is said that the Chancellor of the Duchy showed that the veto was utterly useless, because he said that if the Irish Parliament were so minded it could easily embarrass the Lord Lieutenant. So it could. What is there to compel it? How could you compel it to vote Supplies? It might refuse to vote Supply, but whose would be the responsibility? The responsibility would be the responsibility of the Irish Government, and you are asked to believe that the Irish Ministers—I care not from what section of Irish opinion they are drawn—would pursue a course which would not only invite, but would justify, interference by the Imperial Parliament; that they would do something which would imperil that precious gift, as they regard it, of self-government for which they have laboured so long; and that they would by such insane conduct paralyse and destroy the efficiency of their own National Government. I have felt indignant frequently in the course

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of these Debates at the tone—the contemptuous tone—in which the Irish nation has been referred to. I decline to consider any question in relation to it as if they were inferior to the rest of their fellow-subjects, and ought to be treated as a nation of inborn fools. The last point to which I wish to refer is the 9th clause, or, as it now stands in the Bill, the 10th clause. I would respectfully ask attention to what I have to say upon this, because, unless, indeed, I be mistaken, there has been a great deal of misrepresentation and certainly a great deal of exaggeration about the character and effect of that clause. How is that question to be approached? I admit the difficulties, however the matter is to be approached. No course which can be proposed is free from difficulties; but I wish the House to remember that, in considering it from the Government point of view, they must accept one *datum*—and that is that public opinion in 1886 and since has determined that the Irish Members are not to be excluded from the Imperial Parliament. Now, that being so, and that being settled as we conceived by the voice of the country in 1886, there are only two possible plans—inclusion for all purposes and inclusion for limited purposes. I ask myself if inclusion for limited purposes had been chosen—what you call, in order to ridicule it, the in-and-out clause—what would have been said? How hon. Members in all parts of the House would have been sharpening their wits in exposing that provision, or any provision on those lines. I admit, and I again concur with what the right hon. Member for Bodmin said, that inclusion for limited purposes would have gone no nearer to conciliate opposition than the clause as it stands. [Mr. COURTNEY: Both are bad.] I wish to point out that that means that you are unwilling to recognise Home Rule at all. [Cheers.] I am perfectly well aware of that, but you are making a special attack on the 9th clause; and the hon. Member for South Tyrone the other night, when flushed with victory, told us that it was not Home Rule, but the 9th clause which had won that victory at Hereford. That being so, and the choice being as between limited purposes and for all purposes, I content myself by saying that for limited pur-



poses it has been shown how difficult of operation such a scheme would be, and that it would involve a novelty in our system and also an organic change which is not the consequence of retention for all purposes. It is said that retention for all purposes—and this is the pith and point of objection to which I desire to direct my remarks—gives, beyond the position which they now have, a power and right to Irishmen to interfere in Scotch, English, and Welsh affairs. I want, in the first place, to ask, have they not that power now? Is not the hon. Gentleman aware that, going back for a long series of years, Irish questions have decided the fate, and, therefore, the policies, of successive Governments, and that thus they have affected English, Scotch, and Welsh affairs? As long as Irish Members continue to sit in this House, whether under an “in-and-out” clause or otherwise, they will always have the right to vote upon the question of the policy of the Government, because that is an Imperial question, and they will have the right to vote upon all Imperial questions. But that is their position now. But it is said that in the future Irish Members will have the right to vote upon questions that are exclusively English, Scotch, or Welsh, and that, inasmuch as Ireland will have the exclusive control over her own affairs, that would be unjust to England, Ireland, and Wales. Well, I will give those hon. Members who hold those views a crumb of comfort. It is this: That in the whole history of this Parliament there is, as far as I am aware—and I have asked others who are better informed upon the point than I am—no one measure that has been forced upon England or Scotland against the wish of the majority of the Representatives of those countries.

MR. WYNDHAM (Dover): The Local Veto Bill.

\*SIR C. RUSSELL: Has the Local Veto Bill passed? Has it even been read a second time?

An hon. MEMBER: The First Reading was passed by Irish votes.

\*SIR C. RUSSELL: No; it has not so passed. I say the tendency of opinion is growing stronger day by day to give weight to local opinion, and that is the principle of the Bill referred to; and I do not hesitate to say, speaking

for myself, that if the majority of the English, Scotch, and Welsh Representatives were seriously opposed to any particular measure affecting either of those countries separately, it would be absolutely impossible—morally impossible—for Parliament to force it upon them. I will only add this: that Ireland is the only country in which the predominant voices of England and Scotland have forced measures that were repugnant to her. The right hon. Gentleman the Leader of the Opposition (Mr. A. J. Balfour) was the hero of that performance, because up to 1885 the voice of Ireland was not properly represented by popular votes, and since 1885 the right hon. Gentleman has been—in 1887—the author of a measure which was obnoxious to the Irish people, and which was forced upon her against the protests of the great majority of her Representatives. The tendency of opinion is, I again say, such that it is morally impossible to force a measure upon England, Scotland, or Wales against the wish of a majority of their Representatives. It is one of the principles of the Liberal Party that the voice of the country affected is to be respected, and it is the principle Lord Hartington in 1885-6 (when he had a right to speak for the Liberal Party) avowed ought to be observed in relation to Scotch Disestablishment and in regard also to Welsh Disestablishment. The question, therefore, is a practical one. It is: Will the position of England, Scotland, and Wales be worse or better than it is to-day under the Home Rule Bill with the 10th clause in it? That is the practical question. I say that their position will be better under that Bill than it is now—not only because the Irish Members will be here in reduced numbers, but because, by granting Home Rule, we shall have removed to a large extent the motive for the interference on the part of Irish Members with English, Scotch, and Welsh affairs, and because, further, the Irish Nationalists will realise that any such interference on their part with English, Scotch, and Welsh affairs would provoke retaliation on the part of this Parliament with Irish affairs, which is the last thing that the Irish Legislature would desire. I should have desired to say a few words on the question of the land, but I have already occupied the House at great length; and I should like to say

a word as to the Exchequer Judges, in reference to what was said by the right hon. Gentleman the Member for Bodmin (Mr. Courtney). He, in effect, said—

“They are appointed to safeguard Imperial interests, but where is the authority by which they can enforce their decrees?”

The answer to that is to be found in the 19th clause, Section 5, which says that the Exchequer Judges are entitled, in the first instance, to invoke the aid of the Local Authorities, and to create, if those Authorities are wanting, such agencies as are necessary to give effect to their decisions. The difficulty apprehended is not a real difficulty. Authority exists where there is power, as there is here, to demand, if necessary, the exercise of Imperial authority. Wherever there is power there is authority to do such acts as the circumstances of the case may require. Hon. Members may remember the case of the Georgia prisoners, incarcerated under an unconstitutional law. Their release was ordered by the Supreme Court, and a mere piece of paper, signed, “John Marshall”—the name of the Chief Judge of that Court—was ultimately sufficient to procure that release. The Executive authority of the Federal Government in the United States to-day does not rest upon local manifestations of local force; the Federal authority can be brought into play with all the power that may be required. One word with regard to Ulster: I am glad to say that in these Debates we have not heard much about it.

AN hon. MEMBER: You will hear a great deal about it.

\*SIR C. RUSSELL: The loyal minority were referred to by the hon. Member who preceded me. We have heard very little in the course of this Debate about the question of religious intolerance, and, in my opinion, that is a matter of happy augury for the future. I am glad to find that it is not seriously contemplated by any hon. Members in this House that the powers to be conferred by this Bill upon the Irish Legislature will be used for the purpose of religious persecution. I was glad to hear from the speech of the hon. Member for the South Division of Dublin County (Mr. H. Plunkett), who has lived all his life in Ireland, and who knows the character of the Catholic people of Ireland and the circumstances of the

country, that he had no dread of the misuse of the powers to be conferred upon the Irish Legislature for the purposes of religious oppression. I believe that that opinion widely prevails among the Protestants of Ireland. There are, if needed, adequate safeguards in the Bill, but there is no fear, and I believe that there are no grounds whatever for the apprehensions that have been in some quarters expressed in this House upon the point. In that connection I will make but two observations. Whatever may have been the faults connected with the National movement in Ireland, that movement has been a National movement, and it has been in no sense a sectarian movement. I would like any gentleman who thinks the Catholics of Ireland are intolerant and illiberal to their Protestant fellow-countrymen to read the speech of an hon. Member of this House, the hon. and learned Member for Accrington (Mr. Leese), recently delivered upon this subject, in which comparison was made between the counties in Ireland in which the Protestants are predominant and those in which the Catholics are predominant; and in which it was shown that in the counties where the Catholics are in a majority they have recognised fairly and fully the claims of their Protestant fellow-countrymen to share equally in all the advantages that they themselves enjoy in the government of those localities. The only intolerance that has been exhibited in Ireland has been shown by that part of Ulster that claims to itself the possession of all the virtues, intelligence, spirit, and enterprise of the country. Well, Ulster has not made any claim for separate treatment under this Bill. I honour Ulster for that. I am glad that Ulster has been content to throw in its lot with the rest of the country. Whatever may be the feelings that actuate some hon. Members to-day, I am constrained to think that the lofty and purifying influences which spring from the power of self-government will not fail to act upon the minds of Irishmen any more than upon the minds of other communities. I am confident that when Ulstermen have their fate and their destinies in their own hands, they will forget the causes which have kept them apart from the rest of Ireland, and will apply themselves with patriotic minds to do their duty

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by their country. There are still some things upon which I should like to have dwelt, but I will only say a word or two upon the question of what is the alternative policy to that of Home Rule. You condemn our policy. What is yours? You have told us what it was in your measure of 1887, which one of your ablest men has endeavoured to carry out in thorough fashion. I said before, and I repeat now, you have failed in that policy. You have done nothing to reconcile the four-fifths of the people of Ireland—they are as much opposed to your policy to-day as they were when the right hon. Gentleman (Mr. A. J. Balfour) opposite took Office. When he left Office, his Lord Lieutenant (Lord Zetland), speaking in the North of England, declared that it was impossible to govern Ireland by ordinary law and without perpetual measures of an exceptional character. And now I have to ask those who, I suppose, still believe that the Government of Ireland is the most bureaucratic in the world; that the people of Ireland are more divorced from their own Government than any people in the world; that the system of government known as the Castle Government could not be tolerated in any country where the healthy breath of native opinion was not stifled, what is the remedy? We have propounded a remedy. What is the policy which you propound to cure that state of things? Is it that miserable policy proposed by the right hon. Gentleman in the County Government Bill—a Bill heaped with ridicule from its birth, but as to which the most sanguine admirer of the right hon. Gentleman will not dare to say that it touched, in the very least degree, the evils signified by the name of the Government of Dublin Castle. This system is admitted to be a crying evil. What is the plan by which you suggest it is to be overcome, short of having a Representative Body in Ireland with an Executive responsible to that Representative Body? This is a question which requires an answer. I know of no other plan that has been, or can be, suggested. We have propounded our policy. It may fail to-day, but there is not one of you who does not in his heart of hearts believe that it must ultimately pass. You indulge in doleful jeremiads as to what is to happen when it does pass. You are only doing what your Party has

always done in regard to every great measure that went to broaden the popular bases on which the Institutions of the country rest. Probably this Bill, when it does become law, will not do all the good, or cause any of the evil, predicted for it. I do not believe that it will bring the millennium to Ireland. It depends on the people of Ireland themselves—upon their firmness, upon their fulfilment of the great and noble duty cast upon them in the new era opening to their country, upon their securing and cherishing this priceless gift of self-government, not for a section or for a sect, but for all classes of their fellow-countrymen—for the whole people of Ireland. Mr. Speaker, the claim of Ireland to self-government has survived many and great calamities. It has survived famine. It has survived emigration, which drained the life-blood of the country. It has survived coercion in all its hateful moods and tenses. It has survived the errors of its friends. And vain is the hope that now when it has been espoused by a great historic Party, the greatest agency of wise progressive legislation in the past as it will be the greatest in the future—vain, indeed, is the hope that it will die now. Mr. Speaker, great is the responsibility of the men or of the Party that would let and hinder this settlement, and by delay would rob it of all its grace, and relegate it to that long category of measures dealing with Ireland which have been yielded from necessity, and not from a willing sense of justice.

MR. D. PLUNKET (Dublin University): My hon. and learned Friend began his speech by finding some fault with the hon. Member for the Norwood Division for the admirable speech with which he delighted the House, on the ground that it did not throw much light on the subject of this Bill. Well, Sir, I am bound to say, much as I admire the eloquence of my hon. and learned Friend, I cannot help feeling that in a great part of his speech he has thrown no light on those portions of the Bill to which, when he rose, it was hoped he would address himself. My hon. and learned Friend was so much concerned with the general principles of what he laid down at the commencement that he found he had not time to deal with many matters to which we attach great importance. I am sure the House

would have listened with pleasure if he had gone on and dealt with these subjects. What was the light thrown by my hon. and learned Friend on the Bill? He dealt with the Lord Lieutenant and the exercise of the power of the veto—one of the few matters fully discussed and closed in the end. At the time it was discussed the Government were unable to give any answer to our argument, and I do not think my hon. and learned Friend has put his defence of the Bill in this respect much further. Then he went on to deal with the Exchequer Judges, and I am glad he did so, for that is one of the questions upon which we wanted the counsel of my hon. and learned Friend. His answer on that subject amounted to this: that if the Exchequer Judges want to enforce their authority, they must call in the Army and Navy; and that it was, in fact, by the Imperial Forces alone that their authority was to be enforced. My hon. and learned Friend made a statement which seems to me a most extraordinary error on his part, for he claims the well-known case of Chief Justice Marshall as a proof of what a threat of the Executive authority would do. The facts are not, however, as my hon. and learned Friend has stated them. My recollection is that that authority was never carried out.

SIR C. RUSSELL: The prisoners were released by the State of Georgia.

MR. T. W. RUSSELL (Tyrone, S.): No, no!

SIR H. JAMES (Bury, Lancashire): It is a mistake; they were not.

MR. PLUNKET: Yes; I am right, so that my hon. and learned Friend's argument on that point has entirely broken down—the instance upon which he rested the strength of his argument against the case we have made on the provisions of this Bill. Well, Sir, I will not renew the Debate on that subject. I might go on dealing with points that have been dealt with over and over again. I shall not do so. I shall, however, say one word in passing of the general observations which my hon. and learned Friend introduced at the beginning of his speech. He first of all pronounced a funeral oration upon the abortive Bill of 1886, and he explained the reasons why that measure was rejected by an overwhelming majority of the constituencies of the United Kingdom. The

oration was made for the purpose of showing why the present Bill should not be rejected—why it should fare better, since it did not contain the defects of the Bill of 1886. The fact that there is a difference does not prove that this Bill is likely to succeed. He said that the country was not prepared in 1886 for that particular measure. But, I should like to know, has the country been prepared for this Bill? If he says so, I answer—Let him try it, and the sooner the better. My hon. and learned Friend said something about the Land Purchase Bill of 1886; but he said nothing of the Land Question in connection with the present Bill, although in 1886 the Prime Minister relied mainly on the agrarian relations in Ireland. He had nothing to say now on that subject. Another reason he gave for the rejection of the Bill of 1886 was the exclusion of the Irish Members. That proposal may have been bad or it may have been good; but after all the vacillation and concealment of the Government—however it may have carried them through their difficulty in this House—this point, I venture to predict, will be the rock upon which, beyond all others, their ship will go to pieces. What else did my hon. and learned Friend say in the earlier part of his speech? He said the Home Rule Bill was introduced in 1886 because it had been proved that it was impossible to carry on the Government of the Queen, and that the government of the Land League was omnipotent there. Then he went on to denounce the Tory policy of repressive measures—"coercion for ever and ever," as it used to be called. I observed that, although my hon. and learned Friend went into that question, the Prime Minister, in introducing his Bill this year, did not rely upon it at all. The Land Question, and the situation arising out of that question, formed the chief topics of his speech in 1886; he never alluded to them in introducing the present Bill. Why did not the right hon. Gentleman rest his policy this year on the same ground as in 1886? Because all his prophecies had been defeated, all his statements as to the impossibility of carrying on the Government of Ireland except by such coercion as had never been known before had been falsified and all his forecasts on this subject had failed. The hon. and learned

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Gentleman (Sir C. Russell) began to argue that the policy of the late Government had failed, and when he was told it had not failed, and he saw that he had started on the wrong lines, he went on to say why it had not failed. The reasons he assigned were that the Land Act was beginning to produce beneficent effects, and the hope of the coming Home Rule was influencing the lives of the people. Well, Sir, we have heard that argument before, and what does it come to? The working of the Land Act did not prevent the Leaders of the National League from doing all they could to make the law in Ireland a failure, nor did it prevent hon. Gentlemen, and even right hon. Gentlemen opposite, from aiding and abetting them in this House. But the attempt to defeat the law failed. Baffled and beaten, the conspiracy fell back; and when my right hon. Friend (Mr. A. J. Balfour) left the Government of Ireland the law of this land had been established, the law of the Land League had been broken down, terrorism had been defeated, honest men could go about and do their work in freedom and in safety, and, in spite of the so-called "coercion for ever and ever," there was hardly a person in gaol under the Crimes Act; indeed, the gaols were empty and the banks were full; peace prevailed in Ireland, contracts were observed, and all the anticipations and prophecies on which the Prime Minister founded his demand for Home Rule in 1886 had been utterly disappointed. Well, Sir, I do not desire to follow the hon. and learned Gentleman further into that part of his speech, nor do I desire to attempt to argue again any of the points on which I have had the honour, by the favour of the House, of addressing it on former occasions. I should have been glad if we had had from the hon. and learned Gentleman or from some other Member of the Government further light upon some of those portions of the Bill which have not been debated at all, or have been inadequately debated. The utter inadequacy of the provision was demonstrated; so much so that on the 11th August the Prime Minister went so far as to say that—

"If it could be proved upon a discussion of the Schedule that it was unjust as between Nationalists and Unionists, not only a very grave charge of indiscretion and neglect would have been made good against the Government,

but likewise a very strong case would have been made out for compulsory rectification, at whatever cost of time, of that error."

Well, Sir, has there been compulsory rectification? Is this Bill to leave the House without any further explanation as to what the Government are prepared or what they are not prepared to do? We had no opportunity of discussing that matter on the early Sittings on the Bill, and I think I can fairly claim to hear something on this final stage of the measure from someone who can speak with the authority of a Member of the Government. But though we have not had an opinion from the Government as to whether or not the Schedule is unjust, we have been favoured with the opinion of an hon. Member sitting on the other side of the House. My hon. and learned Friend opposite boasted to-day that the workableness of this Bill was proved by the Divisions—by the support which the majority have given to it. But, certainly, the workableness of the Bill is not clear to the mind of at least one of the supporters of the Government, who should be supposed to know something about it—I refer to the hon. Member for Whitehaven (Mr. Little). Speaking on August 7 that hon. Member said—

"The Schedule would shut out the Protestant minority in Leinster, who numbered about 300,000 or 400,000, from any representation either in the Irish House or in this House. . . . On behalf of Leinster he demanded from the Government and from the House some scheme which would give adequate representation in the Irish Parliament to the Protestant and Catholic minority. . . . He asked the Government to put before the House a plan which would provide a fair representation in the Upper House, in the Lower House, and in the Imperial Parliament, for the minority in Ireland."

That was the demand made to the Government by one of their supporters, specially well qualified to speak on the subject, yet we have not a word of explanation from them. And this is the condition in which this "workable" Bill is to be sent away from this House. Well, there is one matter which I desire—with the permission of the House—to dwell on at a little greater length. I will deal with it as shortly as I can, but at the same time I hope the House will bear with me, for the matter is one which greatly affects many of those I have the honour to represent in this House. I desire to put some questions to the House and to ask for some explanations as to

their dealings in this Bill with the Land Question of Ireland. We have not been well treated by the Government in this matter. I think the House must have observed with me that when the Prime Minister sat down at the end of the great speech with which he introduced the Bill not a word had been uttered on the Land Question in Ireland, as if there had not been a Land Question there at all. But when we saw the Bill itself, what did we find was the provision dealing with this subject? The provision was that that question should be reserved from the Irish Legislature for three years. A most extraordinary provision, and I protest that up to that moment I had not the smallest idea on what principle the clause had been introduced into the Bill. We have not heard a word of explanation on that subject, and the transitory provision was huddled away into the furthest corner of the furthest "compartment," where it was impossible to get at it. The House has not been treated fairly and frankly. I hope that when someone rises on the Front Bench opposite we shall, on this subject, have an explanation of the most amazing change of front which had ever been made by any Government. I say I am entitled to speak on this subject, not only because I represent tens of thousands of men who will be speedily and absolutely ruined if this Bill should pass in its present form, but because, after all, the Land Question is the Irish Question. When the Prime Minister introduced his Home Rule Bill in 1886 it was on the Land Question and the Agrarian Question arising out of it that he mainly relied, and when, a week later, he was introducing his Land Purchase Bill that formed the whole foundation of the speech and the policy which he propounded. I will read a few of the words which were then spoken by the Prime Minister, because I desire to obtain some explanation, if it can be given, of the great change of front of the Government, not only in procedure, but, as I contend, in principle, and as to the obligations of duty and honour which were then spoken of and which now appear to be forgotten. The Prime Minister, after a most exhaustive and interesting review of the Land Question, summed up the case thus—

"It would be an ill-intended and an ill-happen kindness to any class in Ireland to hand

over to an Irish Legislature as its first introduction to the work that it may have to perform this business of dealing with the question of the land. It would be like giving over to Ireland the worst part of her feuds and confronting her with the necessity for efforts which would possibly be hopeless, but which at any rate would be attended with the most fearful risks."

Are we not entitled to know, if the Land Question is to be handed over to the Irish Legislature after three years, how we are to avoid or get rid of these fearful risks? But in that same speech he argued, in support of what he called "an obligation of policy and a dictate of honour," that the deeds of the Irish landlords were, to a great extent, the deeds of the Imperial Parliament, because

"With power in their hand it had looked on—it had not only looked on, it had encouraged and sustained,"

and so he came to the conclusion

"That Great Britain should make herself a Party to the matter—to the extent at least, as he said, of 'a just offer and a fair opportunity' given to the landlords of extricating themselves, if they would, from the position of peril in which they had been placed by the facts of history he had reviewed."

In the same speech he added the well-known words—

"It is impossible to deny that the landlords have been our garrison and our representatives; that we have relied upon them as they have relied upon us, and that we cannot wash our hands of the responsibility for their doings and for the consequence of those doings."

The right hon. Gentleman the other day by interjection—and all the light which has been thrown on this subject has been by way of interjection—stated that these words were spoken with respect to facts and circumstances which were then existing. But is that any argument? But these reasonings were not founded on the facts and circumstances which then existed. They were hewn out of the rock of Irish history—they were found embedded in the chronic condition of the social system of Ireland; they were the fruit, I suppose, of his own observation of the difficulties and dangers of the question for half-a-century of public life. I do not wish to go into the antecedents of hon. Gentlemen below the Gangway, but I say, generally, the Prime Minister is quite indignant now if anyone suspects the leaders of the agrarian revolution in Ireland of hostility or injustice towards the Irish landlords. He seems

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to think that the leaders of the League, who were formerly "marching through rapine," the leaders of the League whose steps were dogged by crime, are all now "the mildest-mannered men that ever scuttled ship or cut a throat." And the other night he told us there was

"no reason why they should accept the proposition that the Irish people were to be held untrustworthy with regard to the administration of the Land Laws."

I venture, with all respect, to refer him back to his arguments, and I confront him with his conclusions which I have quoted; and I claim that someone on the part of the Government should explain to us this fundamental change in their policy. We want to know what is the change in the circumstances that have since happened? On what grounds do they justify the policy of this Bill? by which they do hand over (after three years) the Irish Land Question to the Irish Parliament—by which they do leave the landlords without any just offer—without any fair opportunity of escaping from their certain doom. What are the principles of this Bill? In the first place, with regard to the Executive, if the Bill were to pass to-morrow, the power of appointing the Commissioners and Sub-Commissioners who are to fix the rents in the future would be absolutely in the hands of the Irish Executive. The duty of enforcing the law and of giving such protection and assistance to the landlords as might be required would be absolutely in the hands of the Irish Executive. We have stated the manner in which the Irish Executive would be sure to exercise these powers; and not only has it not been gainsaid, but no attempt has been made to gainsay it. But what are the proposals as regards legislation that are introduced into the Bill? As I have said, it is proposed to hand over the power of legislating as to the land to the Irish Executive for three years. I ventured to put down on the Paper, when we were in the Committee stage, Amendments which would have had the effect of reserving the Land Question to the Imperial Parliament not for three years but altogether—or, at any rate, until some permanent settlement of the main difficulties of the matter was arrived at. I thought, and still think, that that would have been the natural corollary

following from the reasons and policy propounded by the Prime Minister in 1886. But we never reached that clause, and we have never had any opportunity of debating it, and no explanation as yet has been given. As I understand, the Prime Minister expressed the pious opinion that it would be possible for the Imperial Parliament to grapple with the question of Irish land during the next three years, and hints were thrown out by the Chief Secretary and the Attorney General to the same effect. If the Home Rule Bill is passed, and we get rid of what is called the incubus of the Irish Question, is it not absurd to suppose that, with the Irish Members present in this House, a Bill could be passed disposing of the Land Question which at the end of three years—supposing no such measure were adopted—would come under the unrestricted control of the Irish Legislature? It is playing with the House to tell us that before the expiration of the three years the Imperial Parliament may settle the Irish Land Question. In proof of my statement that the landlords will be in deadly peril if the Bill passes in its present form, I will not refer to the speeches of the Irish Members, but I will cite the authority of Members of the present Cabinet. I will not cite the Prime Minister, for he has been more guarded in his statements than some of his Colleagues, and there is no inference to be drawn from his arguments except that there was grave apprehension on the part of the landlords, and that it was necessary to afford them some opportunity of escape. I do not wish to weary the House with many quotations, but here is what was said by one who, before the Land Purchase Bill was debated in 1886, was a Cabinet Minister, and who is the Secretary for Scotland in the present Government—

"Mr. Gladstone and his Colleagues were just men. They were determined that the Irish landlords should not be ruined by being exposed to the action of the Irish Executive. They knew that, under the proposals they were bringing before the country, the Irish landlords would be ruined, and so they brought in a Land Purchase Bill."

I would ask the House to listen to a quotation from another gentleman, who was not at that time a Member of the Cabinet, but who is now—and I am sorry that he is not in his place at this

moment. I refer to the Chancellor of the Duchy of Lancaster (Mr. Bryce). The Chancellor of the Duchy has played a rather unhappy part in regard to the Bill. With a very considerable knowledge of the American Constitution, he was allowed by his Colleagues to introduce some safeguards and precautions which turned out to be worth nothing at all—though when it was sought to introduce other provisions taken from the same source which might be of some avail in protecting the minority, the answer was that gentlemen below the Gangway would not consent. But the right hon. Gentleman, though, perhaps, not very successful in his experiments as a Constitution maker, is a brilliant writer, and I will, therefore, ask leave to make an extract from an article written by him in February, 1886, in one of the magazines, which states clearly the case for the Irish landlords. The right hon. Gentleman said—

“One of the weightiest arguments against the creation of any Legislative Body in Ireland, whether central or local, whether a Parliament, or a Provincial Council, or a County Board, is the danger it involves to landowners. The power of dealing with the land is the very power the Irish most desire; what object is there in a grant from which the power is reserved? But everybody knows how such a power would be used. Most Nationalists own that they would give a merely nominal compensation to the landlords, whom they regard as robbers. Some talk of five years' purchase, some of prairie value. It is proposed, even by some English statesmen, to give Elective County Authorities the control of the police. But with the police under the orders of an Elective Board the landlord might whistle for his rent. He would be lucky if he kept a whole skin. His property would be gone without any need for confiscatory legislation. Now, can the Imperial Parliament leave the landlords to the mercy of an Irish Authority? There is a feeling against them in England, a feeling justified by the sins of the class in time past, but which ought not to make us forget the innocence of many members of the class, still less the hardships which some of the innocent—ladies, for instance, with no livelihood save their rents—have suffered since 1879. All of them, however, be they good or bad, and their mortgagees, have legal rights grounded on Imperial Statutes. The honour of England is pledged to these rights. At no cost can we abandon them. We could not look other nations in the face were we to throw over men whose property we confirmed as lately as by the Act of 1881; not to speak of the shock which so pernicious a precedent would give to the security of property in England and Scotland. It has been suggested that guarantees might be taken from any Irish Authority against interference with contracts, or vested rights of property. But such guarantees

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would not touch the police difficulty; and in any case they would be uncertain in their effect, likely to give rise to infinite litigation, certain to produce conflicts between any Irish Authority and Imperial Statutes. They would keep up that very irritation which the grant of powers of local legislation would be designed to remove. The conclusion follows that before any police control or any considerable legislative functions can be conferred on an Irish Authority, whether central or local, the Land Question must be grappled with. Reasonable compensation must be offered to the landowners, and either prior to or concurrently with any settlement of the other questions this compensation must be secured, and a scheme enacted for the discharge by the purchasing tenants of the liability devolved upon them.”

These were the words of the right hon. Gentleman, who is a careful student and an accurate writer, and who is not specially friendly to the landlords as a class. It is not necessary to make quotations from Irish Members; but I ask the right hon. Gentleman, or any Member of the Government, to tell us what has happened since 1886 that should change the opinions that were then expressed. Have Irish Members repudiated any of the doctrines upon which these conclusions were formed by the right hon. Gentleman? I will not occupy much more time in answering statements which I can hardly imagine are relied upon as arguments against affording landlords and those dependent upon them an opportunity of escape. I do not think that any such arguments would be founded on the misdeeds of the Irish landlords as a class. The Prime Minister dealt with this in 1886. He referred to the Bessborough Commission, and said that the landlords had stood their trial and had been acquitted.

MR. W. E. GLADSTONE: You should quote what I said as to the greater light thrown on the case by the deeper experience under the operations of the Land Act of 1881.

MR. D. PLUNKET: The right hon. Gentleman has referred to that kind of argument before, and a more baseless and unfair argument than that now suggested against a body of men whose fate was in the balance was never made. What is the case? Why, Sir, the opinion of the Prime Minister is quite changed by his experience since 1886.

MR. W. E. GLADSTONE: Under the Commission of 1881.

MR. D. PLUNKET: I can hardly believe that position. That was not the



position of the Prime Minister when he brought in his Land Bill in 1886. The experience of the Act of 1881 was in the possession of the Prime Minister when, in 1886, he declared that, although he framed a great indictment against the landlord system in the past, he hoped and believed there were few landlords against whom accusations could be made in recent times. Why, then, are we not to fulfil the obligations of honour and duty towards them? Are they now to be told they are robbers and have taken rents from their tenants unfairly? I challenge the Prime Minister as to the argument based on the operation of the Land Act of 1881. That Act has now been 13 years in operation. Every tenant in Ireland has an opportunity of going into the Court and getting his rent reduced. Fewer than one-half, or 280,000, have availed themselves of this opportunity, and in 113,000 cases rents have been reduced by voluntary arrangements. It is unjust to found on such facts an excuse for a change of policy. It cannot be deemed that, on the whole, the reductions made by landlords in England have been greater than those that Irish landlords have been required by the Land Courts to make; and the conclusion to be drawn is not changed by the fact that the reductions were voluntarily made in England. When you establish Land Courts you set landlords, as it were, at arm's length. The ground of the usual claims upon landlords was cut away by the legislation of 1881; and, besides that, what chance had landlords in any part of the country to come to terms with their tenants when the object of the Land League was, not to reduce rents, but to get rid of landlordism and to make voluntary agreements impossible? To this day tenants in Ireland are sitting under agreements with which they find no fault, and they can and do pay their rents; and it is perfectly monstrous to exempt from provisions of security which were offered in 1886 the landlords of to-day, because a small number are accused of not having been sufficiently lenient in the matter of rents. I do not suppose it will be contended that because landlords are hostile to Home Rule no means of escape for them is to be provided. It was equally admitted in 1886 that landlords were hostile, and still they were protected by

the proposals of that year. Landlords are opposed to Home Rule, not only because it means speedy and complete ruin to themselves, but because they believe it will be the ruin of their country. And you are going to force this Bill upon them, and because, you say, the offer of 1886 was not acted upon, all further obligation is at an end. An offer was never effectually made, and it was not, therefore, refused. What is the meaning of saying that because the landlords refused assistance in carrying a Bill which they believed to be ruinous to their country it is now to be held that their hostility to the Government shuts them off from consideration? It is a monstrous proposition. It is an argument that cannot be seriously advanced.

MR. W. E. GLADSTONE: We have never used it.

MR. D. PLUNKET: When the right hon. Member for Sleaford (Mr. Chaplin) was speaking the Chancellor of the Duchy (Mr. Bryce) said, "The offer was made." Although landlords, as a class, are unpopular with some supporters of the Government, still I believe hon. Members on the other side of the House would not—whatever may be their opinions on Irish landlordism—would not willingly do injustice to them any more than to any other class. One word more about another matter. What is the position in which we stand now? The Government have had years to mature their plan, and to consider the least obnoxious way in which they could present it to the country. They have had a great advantage in the swing of the political pendulum, which, however, no Government, after a long term of Office, ever survived. Yet they have presented their scheme in the vaguest and most unsubstantial way, so as to obtain the support of men of diverse and opposite views. What is the result? Scarcely have they scraped together an insignificant majority, insignificant for the purpose of grappling with such a social revolution as is now proposed. In fact, they would not have a majority at all, if it were not for the support of those at whose dictation this great surrender has been made. They have had not only six years to consider the question, but they have had a whole Session in which to exhibit and defend as best they could their proposals before the House and the

country. Beaten in argument, they have fallen back on the Closure—the “guillotine”—and, after all, they have been obliged to abandon, after many vacillations, some of the most important provisions of their Bill. The Chief Secretary (Mr. J. Morley) has denounced me personally for saying I was willing to destroy a Bill which has had no sanction from the country. I have been quoted several times by Cabinet Ministers for saying I was willing to make the Bill more detestable to the country. Let us have done with this pharisaic cant. What Parliamentary Opposition would not do their best, in dealing with a measure which they believed to be ruinous to their country, to make it detestable in the eyes of the country? We have succeeded, by perfectly fair Parliamentary methods, in showing that the Bill is detestable. It is absurd to fasten on me the word “detestable,” because it has two senses. You may make a Bill detestable by exposing its deformities, which was the sense in which I used the word; it is another thing to proceed to say you will make the Bill a worse Bill and therefore make it unworkable, which, by the way, is the word assigned to me by the hon. Member for Bedford (Mr. Whitbread) in the course of a pompous homily in which he boasted of his 40 years of Parliamentary experience. I challenge the hon. Member to put his finger upon the occasion on which the threat was uttered. The words that the hon. Member assigns to me I never said, and it is only by putting a gloss upon them that they could be made to bear such a construction. But I do contend that the attitude which we have assumed is perfectly legitimate and Parliamentary; and I claim that every Opposition has not only the right, but the duty imposed upon it, when they believe a Bill to mean ruin to the country, to exhibit it as being detestable. We are chided with un-Parliamentary conduct because there is no better argument to advance. But, Sir, the people of these three Kingdoms have been watching these proceedings. We challenge the Government to appeal to the people. We defy them to say that we have not succeeded in making their Bill more detestable. They must have some time to introduce other measures. Other thoughts, other hopes, must be placed in

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the minds of the electors. They must be made to forget the exposure they had seen in this House of this Bill. That sort of manœuvring may succeed for a time, but a day of reckoning must come; and I confidently believe that when that day does come, the sense of duty and justice and honour of this great people, which saved the country seven years ago, will come to the rescue again, and the courage and the commonsense of the English people will shake off once for all the sickly sentimentalisms, the absurd fallacies, with which it has been endeavoured to cozen them; they will resume their old healthy and honest belief in this Imperial Parliament, where all parts of the country may be freely and equally represented; they will declare that this Parliament has the right to govern, as it has hitherto governed, every part and section of the Three Kingdoms; that it has the power, as they know it has the will, to do justice fairly by all. When that day comes, and when the question is proposed—“Has not your own country in former times suffered at the hands of this country, and is not some atonement required?” I would answer—“Yes, in former times it is true; but I say that of the last 70 years it is false.” Those who most stoutly and strongly opposed the Union at the time admitted that after Catholic Emancipation was carried in this House this country did her best, and no other country has ever, and I do not believe ever will struggle more honestly to redress and redeem whatever errors were committed in the past—but I believe the verdict of the country will be that if atonement is now to be made for the errors of these bygone times it is not by flinging, after past misgovernment, the reins on the necks of the maddened horses. It is not by casting the peace and the prosperity of Ireland into the arena of fiery religious and civil conflict, to be torn to pieces and left to sink in weakness and in hopeless poverty. No; if the great heart of England, to which the right hon. Gentleman eloquently referred yesterday, beat, as I believe it does, it will teach that people to cast their arm lovingly round their weaker sister, steadfastly to guide her destinies and to lead her into the ways of peace. Speaking as an Irishman, born and bred, all whose traditions and recollections of happier times are associated and inter-

twined with Ireland—I say, speaking from the deepest feelings of heart and conscience and knowledge, I believe it is here in this Imperial Parliament that best can be promoted and preserved the material prosperity, the abiding peace, and the real liberty of every class and creed of the people of my beloved country.

\*MR. E. J. C. MORTON (Devonport) said, he must venture to apologise to the House for following the right hon. Gentleman the Member for Dublin University, and following him after such a speech as that which he had just delivered. The right hon. Gentleman spoke as an Irishman, and no one who differed from him, whether Irishman or Englishman, would dispute his claim to the title of a patriotic Irishman. But he must question the soundness of the right hon. Gentleman's argument that the Unionist efforts to make the Home Rule Bill detestable had been justified by success. How did the right hon. Gentleman know that he had succeeded? His statement was of the nature of prophecy. The House had listened to many prophecies about that Bill. When this Parliament first met they were informed by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) that it would be impossible to form a Cabinet, yet a Cabinet was formed, and it had proved one of the strongest of modern times. Then it was said that the Cabinet when formed would not be able to agree as to their programme. This was also falsified. Then they were told that it would be impossible for the Government to frame a Home Rule Bill which would satisfy every section of their followers. That was a prophecy which would be finally falsified to-morrow night. Then there were prophecies that the Government would be defeated on the Address; that they would be defeated on the Second Reading; that they would be defeated on some vital point in Committee. Since all these prophecies had been falsified by the event, the right hon. Gentleman must forgive him if he ventured to doubt the accuracy of the prophecy which the right hon. Gentleman had just been uttering. Coming now to the general question, he had listened to every word on the Third Reading to learn as far as he could the reasons which were advanced by the Opposition for desiring

the rejection of the Bill at this the eleventh or the twelfth hour. He thought that nearly the whole of the case of the Opposition was contained in one speech—one remarkable speech—that of the right hon. Member for Bodmin (Mr. Courtney). The right hon. Gentleman referred to many points which had been referred to again and again in that House already. The first point that he took was that this Bill had been advocated, and thus far carried forward, in the mists of secrecy, and in principle he alleged that the First Lord of the Treasury had never given an indication of his designs with regard to Home Rule for Ireland until he suddenly sprang those designs on the House on April 8, 1886. He (Mr. Morton) had some recollection of a speech delivered in the spring of 1886 by Lord Hartington, in which his Lordship alleged that none of the Colleagues of the First Lord of the Treasury could possibly object to the action which the right hon. Gentleman had taken, because it had been well known for years that the mind of the right hon. Gentleman was moving in that direction. But more than that. It was a matter not only known to the Colleagues of the right hon. Gentleman, but of notoriety, that for years the mind of the right hon. Gentleman had been moving in that direction. [*Dissent from the Opposition Benches.*] Well, he could quote the most absolute proof. In the month of January, 1883, Sir Alexander Galt, then Agent General for Canada, delivered an address in Glasgow on the subject of Imperial Federation. This was published in February, 1883. In the course of that address Sir Alexander Galt said that the practical question for those interested in Imperial Federation to ask was what was the first step to be taken in that direction, and then Sir Alexander added—

“After all, I think the Irish demand for self-government, or as it is called, though the term is one I scarcely like to use, Home Rule, is really what this country will have to consider—whether it is not possible to give to Ireland such a measure of self-government as will remove this growing grievance.”

Then Sir Alexander went on to say—

“Now I believe that that very remarkable man who is now the Premier of this country—I believe in the invitation, for it amounted to that, which he gave to the Irish Members at the beginning of last Session (that was referring to the speech on the Address in February,

1882), to propound what they thought would be acceptable in the way of self-government for their country, indicated that there was in Mr. Gladstone's mind the opinion that some measure would have to be taken in that direction."

Not only was that the opinion of Sir Alexander Galt, but it was well known that the Dominion Parliament of Canada in 1882 passed an Address praying Her Majesty to grant Home Rule to Ireland. This was either moved or seconded by the hon. Member for Longford (Mr. Blake), then in the Dominion Parliament, and the grounds on which the Dominion Parliament avowedly chose that particular occasion for passing that Address was the very speech of the right hon. Gentleman the First Lord of the Treasury on the Address of 1882. It could not, therefore, be said that any secrecy had been preserved by the Prime Minister in his conduct of this case. But it was said that the electorate of this country was entirely ignorant of the details of this Bill at the time of the last General Election, and that, therefore, the electorate should be consulted again, and the details placed before it. He maintained that, with the single exception of the Reform Bill of 1832, there never had been a single instance in the Parliamentary history of this country in which the details of any of the great measures that had revolutionised our political life had been before the electorate at the General Election previous to the Session in which they were introduced. Was the Repeal of the Corn Laws before the electors? Why, even the subject itself was not before the electors. Was the Reform Bill of 1867 before the electors? Why, the very Ministers who proposed it were pledged against Reform at the previous Election. Or the Land Act of 1881? Or the Coercion Act of the right hon. Member for East Manchester in the time of his Chief Secretaryship? Were the details of the right hon. Gentleman's Local Government Act of 1888 before the country during the General Election of 1886? There was not a single instance, excepting that of the great Reform Bill, to back up the Constitutional argument of the right hon. Member for Bodmin on this point. But he went further. The right hon. Member for Bodmin, like the Leaders of the Opposition, admitted that the decision of the

electorate on that Bill should be final if the Bill was laid before them. It could not be denied that something of the nature of this Bill was before the electorate at the General Election. It was known that the Liberal Party were going for a Parliament, and for a responsible Executive. That amount of detail was, at any rate, known. The question really was, how much of the details of the Bill were before the country—were sufficient details before the country? If the Leaders of the Conservative Party acknowledged that the electors of this country had a right to the final decision on this Bill when the details of the Bill were laid before them, how would they be able to deny that the electors had a right to decide whether or not sufficient details were before them? If the country held the view that they were being kept in the dark, that sufficient details on any measure were not before the country, would they not take note of that, and would it not tell against the framers of the measure at the Election? Inasmuch as the country returned a majority to support the right hon. Gentleman the Prime Minister, he held that the country's decision as to the adequacy of the details was taken as much as could be its final decision on the Bill itself. But what reasonableness was there in this complaint about the absence of details? What real inducement had the Unionists given to the Prime Minister to give details earlier than he had done when they had always said that whatever the details were they would vote against the measure. But as to this question of details, he maintained that, with the single exception of the Reform Bill of 1832, there never had been a measure before Parliament of the details of which the electorate knew so much at the previous General Election as they knew of the details of the Home Rule Bill at the last Election. The country had the Bill of 1886 before them. The First Lord of the Treasury had invited discussion on the details of that measure. He had said that if any elector felt strongly upon any detail of the measure, and would vote for Home Rule if his views were met, but would vote against Home Rule if they were not met, let him say what this detail was, and the First Lord of the Treasury would see if his views could be met. There was



only one instance in which this invitation had been accepted. Some electors did say they would vote for Home Rule if the Irish Members were retained in the Imperial Parliament, but would vote against Home Rule if they were excluded. The First Lord of the Treasury met their views, and agreed to retain the Irish Members. It was, therefore, open to any elector who was in doubt about Home Rule to know any detail about which he was anxious. And when, between 1886 and 1892, the Prime Minister was appealed to, his answer was that there was no justification for assuming that the details of the Bill of 1886 would be altered, excepting so far as he had given public intimations on the subject. He himself had drawn up a Home Rule Bill—a Bill in which he simply introduced into the measure, as it stood in 1886, such changes as the public declarations of the Prime Minister before the General Election led him to expect. When the Bill now before the House and the Bill he had drawn up were compared, he found that they did not substantially differ—a fact which he thought proved that the nature of the proposed Home Rule Bill had been very well known to the country. The right hon. Member for West Birmingham declared that this was beyond comparison the most important Bill ever introduced in the House of Commons. Did the right hon. Gentleman really think, or, if he had persuaded himself, did he think he could persuade the country, that the Home Rule Bill was really more important than the Act of Union, the Reform Bill of 1832, the Bill for the Repeal of the Corn Laws, and the Disestablishment Act of 1869 all put together? The total time taken up by all these Bills was 80 days, which was exactly the time devoted to this Bill.

**MR. W. E. GLADSTONE:** Eighty-two days.

\***MR. E. J. C. MORTON** said, then he would throw in the British North America Act of 1867 for the two days more. The contention was that every clause in this Bill was a Bill in itself. That was true of every great Constitutional Act passed by that House. The most important Constitutional Act ever passed by the House of Commons was the British North America Act of 1867, which

contained 147 clauses, each of great importance, and which set up a Constitution not merely of the one Parliament and the one Executive of the Dominion of Canada, but a Parliament for every one of the Provinces, and yet the whole time taken up in the discussion of that measure was only two days. Not one of the Acts establishing Constitutions in the Colonies occupied more than seven days in debate. But, further, he maintained that, as a matter of fact, the present Bill, in spite of the guillotine, had been discussed in all its important clauses. It had been said that, in dealing with a great Constitutional question like this, they were dealing with what was known in some Continental Constitutions as a fundamental law, and that the Imperial Parliament was not morally entitled to interfere in a matter of fundamental law in the same way as in ordinary legislation. Again, what Lord Salisbury once described as “that magnificent institution of the American Constitution, the Supreme Court,” had been referred to over and over again. It had been contended that such an institution, with its restrictions upon the Legislature, would be an advantage to the United Kingdom. But the motives for providing those restrictions in relation to the American Constitution were precisely the reverse of the motives which influenced those hon. Gentlemen who now desired a similar institution for England. The motive in the former case was to guard against reaction and to stereotype freedom; in the latter case it was to guard against progress and to stereotype tyranny. He alleged fearlessly that the Home Rule Bill, from the point of view of Great Britain, was a matter of extremely trivial importance; but, of course, from the point of view of Ireland, it was of vast importance. It could only be of importance to Great Britain in so far as it affected the Constitution of this country, in so far as it affected the unity of the Empire and the supremacy of the Imperial Parliament, and in so far as it affected the moral obligation of the Imperial Parliament to protect the minority in Ireland. Each of these three questions had been most freely and fully debated. The guillotine had not been applied to one of them. As to the first of these questions, the Constitution of Parliament, it was abso-

lutely unaffected by the Bill, except in the simple detail that there was a very small redistribution of seats arrangement, by which the representation of Ireland was reduced from 103 to 80 Members; surely, in so far as the Constitution was touched by that arrangement, it was touched in a sense that hon. Gentlemen opposite would approve of. Then, as to the second point, the unity of the British Empire, it could not be said that the question of the supremacy of the Imperial Parliament had been withheld from the full discussion of the House, because it was debated on Amendments to Clauses 2 and 3, the latter of which took seven and a half days. Not one of these Amendments had been closed. The guillotine did not fall on the first four clauses, and it was only on the first four clauses that the supremacy of the Imperial Parliament could be raised. Then, again, the question of the supremacy of the Imperial Parliament might be said to arise on the 3rd clause, which dealt with the exceptions from the powers of the Irish Parliament. On that clause every Amendment put down by the Opposition, 58 in number, was discussed, which occupied  $11\frac{1}{2}$  days. The question of the Imperial veto arose on Clause 5. It was perfectly true that the guillotine did fall on Clause 5; but it was also true that there had been five days of full discussion on the clause, and that 24 Amendments to it were considered. With regard to the 17 Amendments guillotined, it was a matter of absolute certainty that six of them would have been ruled out of Order, as having been covered by previously discussed Amendments. The question of the veto was not only discussed on Clause 5, but it was discussed in detail on the First Reading and on the Second Reading of the Bill, so much so that on February 17 the noble Lord the Member for South Paddington said, in a speech, that he would not refer to the veto, because it had been already fully discussed. Then there was the question of the protection of the minority. That question was, first of all, included in the restrictions on the powers of the Irish Parliament in Clause 4—a clause that had been debated  $7\frac{1}{2}$  days, on which every Amendment put down, and in Order, was discussed, and on which the guillotine did

not fall. The question also arose on Clauses 27, 28, and 29, which dealt with the pecuniary interests and pensions of the Civil servants. Every one of these clauses was discussed to the full; not a single Amendment was closed, and the guillotine did not fall upon any one of them. The right hon. Member for Bodmin had also complained that the Land Question had not been sufficiently debated. But, if so, whose fault was that? The Opposition had had full power of raising it, and he maintained that they could only deal with it by Amendments to the first four clauses, and every Amendment they put down to those clauses was discussed, or else by a new clause on Report, and none of the new clauses were guillotined.

MR. D. PLUNKET: The Amendments to that clause, raising the Land Question, were ruled out of Order.

MR. E. J. C. MORTON said, that that did not prove that no Amendment which was in Order could be devised. And, as a matter of fact, it was raised on Clause 4 by an Amendment of the hon. Member for York. The right hon. Gentleman the Member for Bodmin had also stated that Clause 9 had not been properly discussed. Well, it was debated for five days. On the 10th July the Opposition voted for retaining 103 Members for Imperial and foreign affairs only, and on the same day they voted for total exclusion. On the next day the Opposition voted for an Amendment moved by the right hon. Member for the University of London for reducing the number of Irish Members to between 30 and 40, but retaining them for all purposes, and on the same day they voted for retaining 48 of the Irish Members. On the 13th of July they voted for the in-and-out clause and against retaining 80 Members for all purposes; and, lastly, by voting against the clause, they voted for leaving the Imperial Parliament absolutely untouched and for retaining the 103 Members to vote on British as well as Irish affairs. If, after that, they wanted still more discussion, he could only say that they exhibited a positively Gargantuan appetite for devouring their own principles. He was certain that if the Liberal Party was unable to rouse the country by the cry of obstruction the Opposition would not be able to rouse the country by the cry of the "gag." The

*Mr. E. J. C. Morton*

country desired, above all, that the efficiency of the Imperial Parliament should be maintained, and he believed that one of the very strongest arguments in favour of Home Rule was the argument that by removing this everlasting Irish difficulty largely from out the daily consideration of this Parliament, they would really restore and revivify the efficiency and honour of the House of Commons. The country regarded the "gag," to use the word of hon. Members opposite, with no great disfavour, for paramount to its desire for full and free debate was its desire that the efficiency of the House of Commons, as a legislative machine, should be maintained. He must ask the House to allow him to thank the House for the patience and kindness with which they had listened to him. But though he might owe an apology to the House for venturing to address it at all, he made bold to say he owed no apology on the particular ground of the subject which he had last referred to; for although he was only a new Member, in his first Session, yet the honour, the efficiency, and the dignity of the House, the Mother of Parliaments, with its traditions extending back for many generations, with its centuries of service to the cause of Democracy, of freedom, and of good government, was the concern, and ought to be the concern, of every one of its Members, however young and however inexperienced—nay, it was the heritage of every one of the citizens of the Empire, however mean his status and however humble he might be.

MR. HOUSTON (Liverpool, West Toxeth) said, he would not have intruded upon the notice of the House if it were not the fact that he, unlike many Members, came to Parliament perfectly free and untrammelled by pledges and promises, except that he would do his best to oppose any scheme having for its object the creation of a separate Parliament for Ireland. Representing a division composed entirely of working men, mostly mechanics and artizans, he claimed to speak the views of what was an intelligent English democratic constituency. He would not follow the hon. Member for Devonport through his labyrinth of statements and figures, nor refer to the Attorney General's brilliant speech, but would confine himself to some of the arguments used by the Prime Minister.

If any arguments were necessary against this Bill they might be supplied by the speeches of the Prime Minister and other gentlemen occupying seats on the Treasury Bench previous to their conversion to Home Rule. The Prime Minister had told them that they had arrived at the point where two roads met—one leading to autonomy, the other to coercion—but the right hon. Gentleman seemed to be strangely blind to the road right in front of him, and which had been trod so successfully and with such material benefits to Ireland by Mr. Balfour. He questioned if the Prime Minister would have seen the road leading to autonomy if the finger-post of 80 Nationalist votes had not pointed in that direction, and he had not read thereon an imperative instruction to follow that road. As to so-called "coercion," he took it that while the same laws obtained throughout every county in England, if there was an outbreak of foot-and-mouth disease or of swine fever, say in Lincolnshire, what happened? Exceptional and restrictive laws were at once applied to stamp it out. But did Lincolnshire complain? Or, if she did, would the rest of England pay much attention to it? And if there was an outbreak of clerical Nationalist enthusiasm in any part of Ireland, resulting in outbreak, mutilation, intimidation, and arson, why should not exceptional laws be applied? The right hon. Gentleman had also referred to Cook's prophecy about Irishmen in the Government, and he was glad to see that the Prime Minister had departed from the prophecy, and had given them the benefit of listening to one of the most brilliant Irishmen in modern times—the Attorney General. He rejoiced that Irish prophecies were sometimes not only inaccurate but utterly unreliable. Grattan wrote—

"You have destroyed our Parliament, but we will have our revenge, and we will send into your Parliament 103 of the greatest scoundrels in the Kingdom."

They had had 93 years' experience, but that prophecy had not yet been fulfilled. He ventured to believe that the trouble in Ireland arose not so much from agrarian as from religious causes. He had not one word to say against the Roman Catholic religion, but he had very strong opinions about the political priest. An ignorant peasantry, dominated by an

autocratic and intolerant priesthood, did not usually indicate a happy and prosperous country—a priesthood which was so intolerant that at times it was at variance with the head of its own Church, so autocratic that it preferred to appeal to the superstitious imaginations of its votaries rather than to their reason and intelligence, and it was not to the Representatives of the people, but to the representatives of this priesthood that it was proposed to hand over the government of Ireland. Who were these Representatives? He meant politically. He was told that in private life they were most desirable and pleasant acquaintances; that to know some of them was a liberal education. He had not the advantage or pleasure of knowing those gentlemen, and, therefore, he could only form his opinion of them from what the Prime Minister had said of them and what they had said themselves. The Prime Minister had spoken of them in the most forcible terms of his most forcible and picturesque vocabulary. The Prime Minister had described them as men marching through rapine to the dismemberment of the Empire, and yet he now professed to have the most unbounded faith and confidence in them. These men, or their predecessors, had avowed undying hatred to England, had avowed sympathy with England's enemies, and their determination that Ireland should be a free nation among the free and independent nations of the earth; that they wanted no more Kings or Queens; but that they wanted a Republic, and that they would not be satisfied until they had severed the last link that bound Ireland to this country—and it was to these very men that the Prime Minister proposed to hand over the government of Ireland. How did this proposal affect England? Supposing Home Rule granted to Ireland; as a result confidence would be destroyed in Ireland, the landlords would be driven forth beggared and ruined, manufactures would be much more heavily taxed than they were at present, and industries would seek a more congenial home. Capital being withdrawn from Ireland and industries ceasing to exist, nothing would be left but the land to tax; and even supposing the tenant farmers—who, he understood, were the only people in Ireland who wanted Home Rule, except the Party Representatives—got the land

*Mr. Houston*

rent free, they would be taxed to such an extent that they would be worse off than they were at present. The starving peasantry would come over to England in shoals, and swell the already overcrowded ranks of unskilled labour; the undue competition would reduce the already low rate of wages received by unskilled labour: the workhouses would be overcrowded with the poor, the helpless, and the idle; parochial rates would be increased; and every class of society would be affected by this measure. Ireland would be reduced to a state of bankruptcy, and probably might apply for funds to some foreign Power. Looking at the matter from the Imperial point of view, they could not afford to show weakness at home, for other nations viewed them with jealous and envious eyes, and if the demands of Ireland were acceded to they would be encouraged to make demands and encroachments upon their domains abroad. One hon. Member had told them that England's difficulty would be Ireland's opportunity, and if England was at war with any foreign Power they would endeavour to throw off the hated Saxon yoke. They had tried it before, and there was no reason why they should not be tempted to try it again. If they glanced at the map it would be seen that nearly the whole of their shipping in leaving or approaching their ports passed within measurable distance of Queenstown, which would make an excellent harbour for an enemy's fleet to take shelter in, and from which an enemy's cruisers might sally forth and attack their shipping, probably destroy it, and paralyse their trade. This was no fancy picture of the imagination, but it was quite possible—nay, he would say probable—and he was lost in astonishment that the nominal author of this Bill was so blind as not to see the dangers that might accrue from the passing of it. It was a curious coincidence that the Prime Minister's advent to Office was invariably followed by disorder, disaster, and disgrace; and he feared that should the right hon. Gentleman continue in Office they would see a recurrence of the events of the past administration, culminating in the most serious and greatest of disasters—a foreign war accompanied by a civil war at home.



MR. M'GILLIGAN (Fermanagh, S.) said that, as an Ulsterman and a Representative of an Ulster constituency, he rose to give his support to the Third Reading of the Bill for the Better Government of Ireland, which had been introduced by the right hon. Gentleman the Prime Minister. It had been frequently asserted in the Debate upon this Bill by Unionist speakers that it was only those who resided in Ulster who were acquainted with the mind and feelings of the people there upon the subject of Home Rule; and, inasmuch as he was born and bred in the very heart of Unionist Ulster, he claimed to have that knowledge, and he asked the indulgence of the House whilst he endeavoured to briefly state it. The Nationalists of Ulster regarded the Bill as an act of deliverance from the system of government which prevailed there, and which practically excluded them from having a voice or participation in the management of local affairs, and they welcomed it as a necessary and long-expected reform to abolish the one-sided system of government which had so long been the bane and the curse of the Province. It would be the means of infusing national life and feeling into the working of local affairs, and of giving the masses of the people a share in the administration, which was at present wholly in the hands of the classes. As a matter of fact, the Nationalists of Ulster had had innumerable difficulties to contend with by reason of their political opponents having in their possession all authority and power. Hon. Members unacquainted with the state of the Province would, perhaps, be surprised to hear that in Ulster an office having income or profit attached to it was never, or seldom, given to a Nationalist. Unionists had as their heritage the control and dispensing of such offices, and he regretted to say that he could not recall a single instance—and he had lived his life amongst them—where a Nationalist had been appointed by them to a post of emolument. No Nationalist held any of the important offices of Clerk of Town, Harbour, or Water Commissioners, Clerks of Markets, Town Officers, Masters or Matrons of Workhouses, Medical Officers, to official positions, bank managers or cashiers, where these Unionist gentlemen could prevent it. Indeed, such was the position of affairs that

no Nationalist would dream of becoming a candidate for such posts, knowing his chance of success to be *nil*. It was said that Ulster was opposed to the granting of Home Rule. But when hon. Members spoke of Ulster what did they mean by that term? Did they mean nine counties forming the Province called Ulster? If they meant that, then he said Ulster was not against Home Rule. But, perhaps, they intended to say that a portion of Ulster was against Home Rule. Well, he granted that there were in Ulster, as there were in other places, persons not disposed to advocate the concession of autonomy to Ireland. But if they looked into the reasons for their hostility, they would find that the people Ulster supposed to be hostile to Home Rule were continually goaded on by excited and warlike gentlemen, and made to believe that Home Rule was what those politicians represented it to be for reasons best known to themselves. What was the fact about Ulster? That more than one-half of it was Nationalist to the core, and joined with the other three Provinces in demanding Home Rule. On this question Ulster was divided into two sections. There was Nationalist Ulster and Unionist Ulster. There was a Nationalist Ulster true to the ancient traditions and patriotic aspirations of the Celtic race, who had survived all endeavours to expatriate them by the application of cruel and vindictive laws. And there was an Unionist Ulster often referred to in that House as the loyal minority. And what were they loyal to? Loyal to the ascendancy authority and power which was theirs at present. It was for the retention of that ascendancy they professed to be Unionists. Talk of depriving them of it and they were disunionists. Circumstanced as the Unionists were it would be passing strange if they did not object. The soft side of the Constitution was and had been extended to them. A mode of government which had been established 93 years was bound to have defenders, especially those who had benefited largely by it, and who saw in its discontinuance a termination of their privileges. Let them contrast the intensity of the feelings of the two sections in Ulster for and against Home Rule. With the Nationalists it was the settled passion of their hearts, which had increased year

by year in their stern uphill fight, and which they would never relinquish. With the Unionists it was true that a large portion of them were strongly opposed to it; but anyone who attended meetings of Unionist Ulster farmers since the General Election knew that they were not satisfied with the existing order of things, and that they would welcome Home Rule, or any rule that would do them justice. They had no deadly animus to this Bill or its supporters. No doubt at the General Election they were frightened into a fear of the priests—that was a word to conjure with by Unionist Leaders. It served better than to discuss Home Rule on its merits. But this fear, he ventured to say, was a passing one. In their reflections the tenant farmers knew what Party in Ireland fought their battles and prepared their case for legislation, and what Party in England placed on the Statute Book the Acts of Parliament that released them from the power of landlordism. Merchants in agricultural Ulster would tell them that business had been on an inclined plane for years past, and, in the event of an unfavourable harvest this year, and the low price of cattle being maintained, commercial disaster would have taken place. Matters in those districts were just as bad as they could be, and it was useless of hon. Members to be talking of prosperity in Ulster. The emigration from Ulster was a grave commentary upon its alleged prosperity. During the most prosperous times in Ulster, in the Sixties, Seventies, and Eighties, about 750,000 people left it. For 18 years Ireland had her own Parliament, in sympathy with the people, and she prospered. For 93 years she had had a Government not in sympathy with the people, and she had decayed. To withhold Home Rule, which meant a Government in sympathy with the people, would be to continue the evil system which had wrought the decay, and meant the gradual extinction of the Irish nation at home—an event, he was afraid, that would not be patiently submitted to. After 93 years' rule of the richest Government in the world Ireland was the poorest. As she had not thriven under English rule, by all rules of logic and fair play she was entitled to some other rule. Speaking as one of the Representatives of Nationalist Ulster, it

afforded him much pleasure to exercise his privilege in that House to thank the Prime Minister for his noble effort, for speeches which shed such a brilliant light upon the darkness, the ignorance, and the prejudice which surrounded the Irish Question of misgovernment, and for pleading the cause of an oppressed and down-trodden people. He appealed to the right hon. Gentleman to prosecute the work he had begun to a successful issue, and that work would complete the emancipation of the Nationalists of Ulster, who had been reared in the school of political and religious adversity, purified by the fire of persecution and strengthened by wrong suffering, and who indulged in the hope that the English Parliament would in the expiring years of the century make atonement and restitution for its act of spoliation and robbery in the beginning by restoring to Ireland her right to make her own laws in her own Parliament in her own land.

MR. W. KENNY (Dublin, St. Stephen's Green) desired to say a few words with reference to the speech of the hon. Member for Devonport (Mr. Morton) and the brilliant speech of the Attorney General. It appeared from the confession of the hon. Member for Devonport that he was a competitor of the Prime Minister, because the hon. Member had told the House that he himself, either last year or the year before, had drafted a Home Rule Bill and that it turned out almost identical with the Bill of 1893. He should like to know whether the Bill of the hon. Member contained anything identical with or even similar or analogous to the Financial Clauses in the Bill of the Government as it now stood, or whether the Financial Clauses embodied in the hon. Gentleman's Bill were like those contained in the Bill of the Government as presented in February last? He should also like to know whether the hon. Gentleman proposed that the Imperial Government should undertake the collection of taxes in Ireland; whether any one of those taxes should be taken as representing Ireland's contribution to the Imperial Expenditure; but, above all, he should like to know whether this wonderful draft the hon. Member had compared in competition with the Prime Minister contained the "in-and out" clause that was in the Bill as introduced in February last, or the clause which

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was now in the Bill by which the Irish Members in that House were to have unrestricted powers upon all questions—Imperial and otherwise? Upon this question of the “in-and-out” clause the hon. Member ought to be an authority to some extent. The hon. Gentleman, he understood, occupied an official position in the English Home Rule Union, and he was assured, on the authority of the hon. Member for South Tyrone, that at the recent election at Hereford a leaflet was circulated, bearing the impress of the Home Rule Union, which stated that the original “in-and-out” clause which was contained in the Bill of February last was the clause that remained in the Home Rule measure, although the Premier had then given unrestricted power to the future Irish Members in this House. He should have liked to have heard some explanation from the hon. Member for Devonport as to how that leaflet came to be circulated in Hereford upon the very day of the opening of the poll? The hon. Gentleman referred to one or two of the clauses of the Home Rule Bill, which he said had received discussion, and the first he referred to was the question of the Civil servants, and he thought he included the Police. Undoubtedly they had some discussion upon the clauses of the Bill which related to the Civil servants and Police, but nobody knew better than the Chief Secretary that what affected the Civil servants and the Irish Constabulary were not so much the clauses of the Bill as the Schedules of the Bill which were never discussed, except for some incidental references. The hon. Gentleman also referred to the question of the land, and assured the House that the Land Question was also discussed. The only discussion they had on the Land Question was that which arose on an Amendment with reference to the appointment of Assistant Commissioners. Turning to the speech of the Attorney General, he should like to call the attention of the House to what he regarded as rather a singular episode in the course of that speech. The hon. and learned Gentleman, with very great eloquence, deplored the time when, before 1886, the Nationalist Members of that House did not mourn with the English people in their sorrow and join with them in their joy, and he hoped and expected the time

was coming when the Irish Members who had helped to build up this great Empire would learn what its real meaning was, and if a time of sorrow came would mourn with the English people in their sorrow and join with them in their joy. Previously to the Attorney General having made use of these observations, he had been cheered to the echo; afterwards, when he dealt with other subjects, he was cheered to the echo by gentlemen on the other side, but not one single cheer came from gentlemen representing Irish Nationalist constituencies when the hon. and learned Gentleman addressed these particular observations to the House. The Attorney General spoke as if this Bill was accepted by the Irish Members. He should like to know whether the hon. and learned Gentleman either heard or read the speech delivered the previous afternoon by the hon. and learned Member for Waterford (Mr. J. E. Redmond). The Unionist Members had always been protesting, both in this House and out of it, that this Bill was only a *pro tanto* Bill—only an instalment of what was expected from the Irish Benches—and there was no finality whatever in connection with it. What did the hon. Member for Waterford say? He said that no man in his senses could regard this Bill as a final or satisfactory settlement of the Irish Home Rule Question. Were the Irish Nationalists satisfied? They did not depend upon the hon. Member for Waterford for any statement with reference to the want of finality in this Bill. They had also the statement of the hon. Member for North Kerry, in the course of the Debate in Committee on the 9th clause, that the whole scheme of the Government was experimental, temporary, and transitory. That opinion was endorsed to a large extent by the Home Secretary, who appealed to the House and said—“Why not treat it as a mere temporary and transitional scheme?” The hon. Members for Waterford and Kerry, or their followers in Ireland, had made speeches upon Irish platforms in which they had elaborated the ideas as to want of finality in the Bill. One of these gentlemen (Mr. Haviland Burke), whose speech was a type of the speeches made in Ireland, speaking on the 2nd April, 1893, said he thought the Home Rule Bill ought to be accepted for want of some-

thing better, and that the Irish Members ought to do their best to improve it in Committee, and to enlarge its provisions and the liberties it gave, so as to make the Legislature worthy of a free and distinct nationality. He wished to draw the attention of the House to the expression "a Legislature worthy of a free and distinct nationality." That expression was really borne out by the speech of the hon. Gentleman who had last addressed the House, because he thanked the Prime Minister for restoring to the Irish Nationalists the Parliament which they had lost in 1800. That meant a great deal more than the boon the Prime Minister was prepared to bestow on the Irish Nationalists. Grattan's Parliament was an independent Parliament; and they had it in the speeches made upon Irish platforms and in the addresses of Irish Members in that House that the present measure was only the basis for further demands on the part of the Irish Members, who, having 80 of their number in this House, would never rest until its liberties and scope were enlarged, and until they got a measure worthy of what they called "a distinct nationality." He should like to make one or two observations with reference to the speech of the Prime Minister. The right hon. Gentleman said that this Debate would not add to the fame of Parliament. He thought everyone of them on that side of the House would agree with such a statement. They did not believe that what had taken place in Committee of this House would add either to the fame or prestige of Parliament. This Bill in its Third Reading stage occupied a very peculiar position, and presented a very peculiar development indeed. The Bill was one of the very first importance, as was admitted by the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), who, on the 16th June last, declared that it was beyond all question the most important legislative proposal which had been made to the Parliament of the United Kingdom in the present century, and that it was a measure which ought to receive the most careful and most anxious consideration of every Member of Parliament. The Government had been for the last seven years pondering and deliberating on the measure which they introduced in February last, and,

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notwithstanding all the consideration they had given to that measure during those years, notwithstanding the time that had elapsed since August, 1892, when they were called upon to assume the reins of Government down to the time the Bill was introduced, the Bill had emerged from Committee and Report stage altered in its character and vital principles, and altered not so much by the Opposition who criticised and opposed it, but altered by the authors of the Bill themselves. The new clauses of the Bill were, to a large extent, wholly undiscussed in the Committee of the House. In his interesting speech yesterday the right hon. Gentleman the First Lord of the Treasury admitted that 26 clauses and six Schedules of the Bill were undiscussed. What were the clauses of the Bill which had been left undiscussed? They had had a superficial reference, but no discussion upon the constitution of the new Irish Legislature; they had had no discussion in regard to the Exchequer Judges, their duties, responsibilities, or the position they were to occupy; no discussion on the question as to the decision of Constitutional questions; no discussion on the power that was given to the Irish Legislature to repeal certain Acts of Parliament; and, above all, they had had absolutely no discussion, except the few hours given to them before the application of the Closure on the 13th July, on the question of the powers of the Irish Members who were to be retained in this House. The right hon. Gentleman the Chief Secretary (Mr. J. Morley), addressing his constituents last Saturday at Newcastle, admitted that the question as to the power of the Irish Members was one of the most important—he did not say the most important, but one of the most important—clauses of the Bill. He (Mr. Kenny), and hon. Gentlemen in the House who agreed with him, went further than the right hon. Gentleman in that direction, because they regarded it, and had always regarded the question of the powers of the Irish Members, as the crucial and turning point of this Bill. That it was the turning point that agitated the country at the present moment had been proved by the Hereford Election. They had discussed the retention of the Irish Members; but that was as to the numbers in which they were to be retained, or whether they were to be



retained at all, but they had absolutely no discussion, save and except the few hours he had already mentioned, on the question of the powers of the Irish Members. They did discuss, to a certain extent, the question of the old 9th clause, now the 10th clause, and they discussed the question of the number of the Irish Members to be retained; but the right hon. Gentleman put off to a future day the discussion of a number of other clauses in the Bill, and included in that postponement the question of the powers of the Irish Members. He did not know whether the right hon. Gentleman considered the matter so very unimportant that he gave it the go by; but he should have liked to have seen the enthusiasm that would have been invoked at Newcastle if the right hon. Gentleman had told his audience that, after considering the matter from 1886, they had, at the very last moment, the day before the Closure was to be applied, changed their mind, changed it without giving this House, the Opposition, or the country the opportunity of criticising the details in their line of policy, and had adopted the clause as it now stood in the Bill, by which the Irish Members were to be retained for all purposes in the Imperial Parliament. If the House would permit him, he should like to go into the question of the way in which the Opposition and the country had been treated on the question of the retention of the Irish Members so far as their numbers were concerned, because they must differentiate, in dealing with the 9th clause, between the question of the number of the Irish Members and the powers to be given to them if they were retained. For three or four years past they had been informed and were aware that the Irish Members were to be retained in some numbers in the House; they were not concerned so much with the question of the retention of the Irish Members, knowing that was a matter determined upon, but they were concerned with the question of what the powers of the Irish Members were to be when so retained. In August of last year, upon the Debate on the Address, the Prime Minister, after setting forth the various modes by which the Irish Members might be retained, stated that if the Liberal Government were called to Office, it would plainly be their duty to select the best form of dealing with Irish

representation in the House; that this could not be decided upon till they were in a position of responsibility; but that, when they had selected what they considered to be the best form to adopt, it would be their duty to carry it out. That speech had only been made a fortnight when the right hon. Gentleman assumed Office, and having assumed Office, and having to make a selection from the various modes which he had indicated, he and his Cabinet deliberately selected the in-and-out clause. They were satisfied with the declaration of the Government policy, but on the 8th May a question was put in this House to the Prime Minister by his right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain), who asked the Prime Minister whether or not he intended to propose Clause 9 as it then stood in the Bill? The Prime Minister's reply was that they intended to propose and to submit to the House the clause as it stood. Last night the right hon. Gentleman the Member for the Sleaford Division (Mr. Chaplin) referred to another declaration of the Prime Minister's, made on the 30th May, that he intended to stick to the clause as it stood in the Bill. What happened? On the 13th of July one of the compartments of the Bill was closed, and in that was included the 9th clause. Upon the night before the Closure was to be applied, the Prime Minister, upon his own Motion, moved the omission of the sub-clause which provided for the restricted powers of the Irish Members; and on the following night, without the country having had any opportunity beforehand of knowing the policy of the Government, the Amendment of the Prime Minister was closed, and that was the only opportunity the Opposition and the country had had, up to this time, of discussing the question of the powers of the Irish Members who were to be retained. Was it fair, frank, and honourable of the Government to act by the Opposition and the House in the way they did? The House would remember that the Government focussed and fixed public attention on the clause as it stood; and with the attention of the House so focussed and fixed, the Prime Minister, the night before the Closure, proposed an Amendment which completely altered the clause from its original character. He

thought the tactics adopted by the Government in connection with this question of the powers of the Irish Members would be a disgrace to an Irish Local Board of Guardians. No explanation was given until the night of the 13th July, when the Prime Minister vouchsafed some explanation to the House for the conduct of the Government in having kept this clause up their sleeve until the evening before the application of the Closure. On that night, the 13th July, before they arrived at the hour of 10 o'clock, the right Member for West Birmingham (Mr. J. Chamberlain), in his speech said they had a right to be frankly and honourably treated, but when they asked if there was any truth in the rumours afloat as to the change their questions were always evaded or refused an answer. And what did the Prime Minister say in reply to that? He interrupted the right hon. Member for West Birmingham by an exclamation of "Hear, hear!" That was that he pinned himself to what the right hon. Gentleman said that the questions were either evaded or refused an answer. The right hon. Member for West Birmingham then said—

"My right hon. Friend says, 'Hear hear!' but is that proper treatment of the House of Commons!"

And the Prime Minister said—

"The question put to me was one I understand the purport of, and I was determined to defeat it."

In that answer of the Prime Minister they understood the meaning of the Government; the Government first proposed a clause on which public attention was fixed, and then the Prime Minister came down and at the last moment announced to the House what the change of policy of the Government was, and that it was intended to confer on the Irish Members unrestricted powers. He (Mr. Kenny) submitted that was not the way to afford a free and fair opportunity to the House or the country to discuss the policy of the Government, and he thought he might further say that the Opposition deserved fairer and more honourable treatment. Having regard to the importance of the measure, to the fact that it involved not only Irish but British interests, and having regard to the way in which the House had been treated, he ventured to think that the treatment ought to be almost

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enough to induce Members not to pass the Third Reading of this measure. He now desired to say one or two words upon the question that the right hon. Gentleman the Chief Secretary referred to in his speech at Newcastle, and which had been referred to also in this House—namely, the question of the British vote in this country. If the House would permit him he would give the figures as they appeared in the Divisions upon the Bill, both in favour of the Government and against the Government. On the Second Reading the majority for the Government was 43, the British majority against the Government was 14. On the 30th June, on the first Closure Resolution, the majority of the Government was 32, and the British majority against the Government was 19. Upon the question of Clause 5 standing part of the Bill, the clause that dealt with the Executive, the majority of the Government was 35, and the British majority against it was 32. When they came to deal with Clause 6, the clause that dealt with the two Legislative Councils in Ireland, that clause which the Prime Minister yesterday stated was one of small importance, the Government majority was 15, and the British majority against it was 40. On Clause 7, dealing with the Legislative Assembly, the Government majority was 36, and the British majority against it was 23. On the question as to the entire exclusion of the Irish Members, the Government majority was 31, but there was a British majority against it of 28. And on the Prime Minister's Amendment, giving unrestricted powers to the Irish Members, the Government majority was 27, and the British majority against it was 33. He thought these figures showed not only British opinion in the country, but the opinion of the Representatives of Great Britain in this House in connection with this measure. It had been said by the Chief Secretary, and also, he thought, by the Home Secretary (Mr. Asquith) in the course of the Debate on the Address in 1892, that the majority of the entire united Parliament ought to be the majority that would decide every question in this House, and that they were not to subtract from that majority the votes given by Irish Members. He quite agreed with those observations of the

right hon. Gentleman and any other speaker who might rely on the same argument when ordinary questions were dealt with by this House, but they had to remember that when the Act of Union was passed in 1800 they had to get the consent of two Legislatures, of the British Legislature on the one side and the Irish Legislature on the other. Therefore, when they were going to a certain extent to modify that Union, when they were altering the principles of that Union, why should not the bodies in that Union be restricted to their constituent elements, and the voice of the British majority be taken? [*A laugh.*] He did not understand why the right hon. Gentleman the Chief Secretary scoffed at that; if they were to do that they would have a British majority against it; and surely the Irish partner in this business could not be allowed to separate from the partner with whom it threw in its lot in 1800 without the consent of that other and larger partner. One other topic that was raised by the right hon. Gentleman in his speech at Newcastle he wished to say a word about. In addressing his audience, the right hon. Gentleman said the arguments of the Unionists were based on the consideration that the Irish Members were either lunatics or rogues. The same argument had been thrown in their teeth night after night by the Prime Minister, and they had been lectured by the right hon. Gentleman and told they ought to have the most explicit faith in hon. Gentlemen below the Gangway opposite. But he (Mr. Kenny) would ask were they not justified; were they not entitled to look back upon the speeches of hon. Gentlemen opposite, both in and out of the House; were they not entitled to consider what they had done in the past; and, above all, were they justified in dismissing from their minds the finding of a judicial tribunal of this country? [*Cries of "Oh, oh!"*] Hon. Gentlemen might sneer at that, but it was composed of three powerful Judges, and were they to dismiss that finding from their minds? The hon. and learned Gentleman the Member for Waterford (Mr. J. E. Redmond) yesterday assured them he had a most complete and explicit faith in his countrymen, in the moderation, the common sense, and the good feeling of the countrymen in Ireland. He did not

know whether or not the hon. and learned Gentleman agreed with the views put forward by a Dublin journal, of which the hon. and learned Member was the Chairman of the Board of Directors. What was the opinion of the leader writers of that journal of the gentlemen who formed Committee Room No. 15? He only quoted their opinions for the purpose of his argument, and he said at once that he did not concur in them; he did not endorse them; but they were the opinions of the hon. and learned Gentleman's own friends. What did the leader writers of this journal say in the issue of the 11th October, 1892? They said—

"We see them now in fear of life, full of selfishness. many of them without a shred of anything beyond what they can borrow and foul-mouthed, destitute of every sense of loyalty; some of them disreputable, all of them apostles of downright tyranny, men who in a free country would correspond to a banditti of——"

(The rest of the quotation and the other blanks failed to reach the Gallery.) That was about as strong a condemnation as was ever seen in the Press; but he presumed the hon. Member for Waterford (Mr. J. E. Redmond) would endorse what the leader writers and editors of that journal had written. For his part he did not endorse it, and he thought the statement was unquestionably an exaggeration, still it showed at the present moment what the opinion of one section in Ireland was with regard to another section. He had only one word more to say. One thing was certain—that throughout the whole of the Home Rule business no effort had been made by the Government to carry out the promises made before the General Election. Two sets of promises were made in regard to the Newcastle Programme, but in addition to these promises had been made in the House by the Prime Minister to the Irish Members, and he (Mr. Kenny) wished to know what had become of those promises? In his speech on the Address in August last, the Prime Minister said the Crimes Act of 1887 should not be retained on the Statute Book longer than the condition of Parliamentary time required. They had had a good deal of Parliamentary time wasted in this House —[*"Hear, hear!"*] Yes, hon. Gentlemen below the Gangway opposite took it in one sense, they (the Opposition) took

it in another—they said that the time of the House had been wasted on a measure which could not become law, and which would not become law, and whilst the time was being wasted the Government found it impossible to give any attention to a Bill introduced by the hon. Gentleman who represented the St. Patrick's Division of Dublin (Mr. W. Field), a Bill which appeared on the Paper every night and adjourned every night to the next night—a Bill of one clause which proposed to repeal the Crimes Act of 1887. Why did not the Chief Secretary give to the hon. Member some facilities to pass that Bill? On the contrary, instead of giving facilities for passing that Bill, the Government proposed to re-enact in the Expiring Laws Continuance Bill the 8th clause of the Crimes Act of 1887, and keeping alive the provisions of the Peace Preservation Act of 1881. The Chief Secretary, in one of those works of his which was so instructive and so interesting, and which now formed part of the standard literature of this country, had told them there was a Nemesis waiting for the Government. He ventured to say that the Government had been unscrupulous and profligate in its promises. They had come into power on false issues and false pretences, and he believed, in common with the great majority of people of this country, that that Nemesis of which the Chief Secretary had spoken was sure to come.

MR. DILLON (Mayo, E.): Mr. Speaker, like many of my Colleagues upon these Benches, I may say I have taken no part in the long discussion of this great question; but I know that the people of this great country and the Members of the House will not for a single moment believe that, either in my own case or in the case of my Colleagues, that silence was caused by any want of interest in these Debates. That silence was imposed upon us by a sense of duty to our people, because we declined to be parties to the conspiracy which became very soon manifest in this House to smother this measure by a forest of Amendments and by a needless stream of talk, instead of subjecting it to an honest and faithful criticism. The views of our Party and the interests of our people during the progress of this Bill through the Committee were in the hands of a Member who enjoyed to the fullest extent

the confidence of his Colleagues, and who did as much as could by any possibility be achieved by any man to represent to and impress upon the House and upon the Committee the views of the people of Ireland with regard to this Bill. Sir, before I come to make the few observations which I feel bound to make on this measure ere it passes through this House, I desire for one moment to allude to a couple of points in the speech of the right hon. Gentleman the senior Member for the University of Dublin (Mr. D. Plunket), and in the speech delivered by the right hon. Gentleman the Member for Bodmin (Mr. Courtney). The right hon. Gentleman the senior Member for the University stood up in this House, as it seemed to me, in a very ill-judged and unwise fashion, and placed himself before us from the beginning to the end of his speech as the champion of Irish landlords. He viewed this Bill from the point of view of the material interests of the Irish landlord, and from no other point of view. And he set against the wishes and the aspirations, and, as we hold, against the hopes of future prosperity and peace for our people, one consideration only, and that is the claims which the Irish landlords have to the protection of their material interest in Ireland. Well, Sir, we have no desire to rob any man in Ireland; and notwithstanding all that has been said, and in spite of all the criticisms to which we have been subjected, if our past careers were critically examined and compared with the past history of Irish landlords, I do not think our action would come out worst. The Irish landlords, said the right hon. Gentleman, view this measure as one calculated to be ruinous to their country. Sir, the record and history of the Irish landlords hardly entitle them to call it their country, for in the days of their power, which lasted too long, and during which they controlled without responsibility the government of the country, they showed no interest in its welfare, and I will only make this further comment on the observations of the right hon. Gentleman—that that very expression has been used with regard to every measure of reform which ever was proposed for the people of Ireland. I challenge him, or any other of the Conservative Party, to point to one measure of reform which has been proposed and passed, or attempted to be

*Mr. W. Kenny*



passed, in this House throughout the long history of 70 years to which he has alluded, which has not been denounced by the Irish landlords as likely to be ruinous to the country. The list extends from Catholic Emancipation down to the Land Bill of 1881. The right hon. Gentleman then went on to say that it was universally admitted that this Imperial Parliament has the power, as we all know it has the will, to do equal justice to all, and that he thought it was not to be denied that for the last 70 years no injustice had been done by this Parliament to the people of Ireland. All I can say is this—that if we were to accept the proposition that for the last 70 years the Parliament of this country has been endeavouring to the best of its ability and power, which I do not admit, to do justice to the people of Ireland, then I say that on that test alone it stands condemned, and the only conclusion which we can draw from the history of these 70 years is that, whatever may be the case as regards the will of this Parliament, it has not the knowledge and it has not the power to do justice to our people. Why, Sir, within these 70 years what has been the history of Ireland? We have had two or three attempted rebellions. We have had two famines. We have had half the population of the country shamelessly exterminated, and one-half of the inhabited houses of Ireland razed to the ground by the greed of Irish landlordism. During that period, in spite of the verdict of Commission after Commission appointed by this House—in spite of the voice of the Irish people appealing to this House—the few Representatives who, in the days gone by, represented the people of Ireland here, met with deaf ears or no ears at all; because, when I first knew the House—when I first came to listen to Debates here under that Gallery—when any Irish Bill or any Irish matter came up, the House emptied, and Members never came in until the Division Bell rang. That has been the history of these 70 years. Oppression and the feeling of injustice at the hands of this House in our unhappy country had the inevitable results of oppression, which are not peculiar to the people of Ireland, but which have been the infallible results of the reaction against oppression wherever it existed, and amongst what-

ever race. Our country has been the victim of secret conspiracy, rebellion, and of social disturbance—a condition of things fatal to all hope or chance of prosperity or peace. I say that all the misery, and all the crime, and all the desolation and despair of those 70 years lie at the door of the Imperial Parliament. It ill befits any right hon. Gentleman who has studied the history of his country, who has studied the history of these years, and of the Irish question in this Parliament during these years, to stand up in this House now and say that the history of the past 70 years goes to prove that this Parliament had the will, or, if it had not the will, that it had the knowledge or the power, to do justice to the people of Ireland. Take the history of one question alone—the question of higher education in Ireland. What has it been? Generation after generation of young men growing up in Ireland have been denied the greatest gift that can be bestowed on the youth of a country. And why were they denied the gift of a University education? Because their conscientious convictions closed the doors of the Universities that exist in Ireland against them. Almost all the acquaintances of my youth, and those of the generation who went before me, were obliged to face the world without the inestimable advantages which are open to the people of England, Scotland, and Wales. Aye, the University which the right hon. Gentleman (Mr. Plunket) represents in this House kept its doors closed—not exactly its doors, but all privileges closed against the Catholics of Ireland until by the agitation which I can well remember the Test Act was passed. That concession was not granted to the pleadings of the Representatives of Ireland in this House. It was not granted from a sense of justice. It was granted because the agitation which was started for the foundation of a Catholic Institution was thundering at the doors of Trinity College, and they passed the Test Act to save themselves from confiscation. There is one just observation I will make in concluding what I have to say upon that question—that particular grievance, for the redress of which for years—for 50 years—appeals have been made to this House. It still stands unredressed, and

still the youth of Ireland who chance to belong to the Catholic Church are obliged to face the world, great numbers of them from conscientious motives, without the advantage of higher education. And yet we had an example the other day in the course of the discussion in Committee on this Bill which must have convinced any Member sitting on those (the Opposition) Benches that if we had a home Legislature in Ireland with power to settle that question it would have been settled, to the satisfaction of Protestant and Catholic alike, 35 or 40 years ago. Who can tell us or estimate the amount of ill and injury that has been done to our country by leaving that question unsettled for 35 or 40 years? Now, Sir, I come to an observation which struck me the other day in a speech of the right hon. Gentleman the Member for Bodmin, who always adopts, I must say, a very different tone in his observations in dealing with these Irish questions from most other hon. and right hon. Members of Unionist principles, because when he approaches the question he does not consider it to be his duty to assume that the Irish people are scoundrels and robbers, and he does not find it necessary to hurl insults at the Irish Members in the course of every speech he delivers. The right hon. Gentleman the Member for Bodmin sets an example which, in my humble judgment, would be very well followed by many of his friends. But he made this remarkable observation in the course of his speech which struck me very much, because it seemed to me to be one of the very strongest of all arguments in favour of Home Rule. What did he say? He said that in the case of the makers of the American Constitution there was one element which was totally wanting in the present instance—that was the element of necessity to do the thing at the moment; and that in the case of this Home Rule measure there was no necessity, and he emphasised the fact again by saying “no necessity whatever.” That is a very extraordinary doctrine to us in this House. What is necessity, or what does the right hon. Gentleman mean by necessity? Does he mean that he would deny to the Representatives of a people what the voice of the people has been proclaiming by overwhelming majorities at repeated elections? Would he deny the Repre-

sentatives of that people the justice and the right which they claimed at the hands of this Parliament until the necessity arose? What kind of a necessity? Ah, Mr. Speaker, that is the fatal lesson which has been taught to the people of Ireland during these 70 years, and there is not a peasant in Ireland who does not know that if he comes here with justice and reason on his side those considerations have no value in this Parliament until a necessity is created. That was what gave birth to the Land League; that is what filled the Ribbon Lodges in Ireland, because the peasantry have been taught that you will not listen in this Parliament to the voice of justice, but that an imperative necessity must be created, and that then the reform and the justice which was denied the Representatives of the people will be granted because of the necessity. I am sorry to say, Mr. Speaker, that the right hon. Gentleman the Member for Bodmin expressed a deep truth when he used those words. I believe that if it had not been for the intensity—and I should almost say the ferocity—of the Land League agitation, that the system of felonious landlordism in Ireland would be to-day untouched and unbroken. Our voices and our votes in this Imperial Parliament would have been as powerless to overthrow it, or to effect the great reforms which have been effected, as pea-shooters would be to attack a fortress. No, Mr. Speaker, I say that is a deadly doctrine. I say that the doctrine formulated by the right hon. Gentleman, but taught for long and weary and disastrous years to the people of Ireland by the action of this House has been the mother, the fertile mother, of secret societies, of crime, and of disorder. Now, Sir, I come to the question of this Bill, and I may say at the very outset that in approaching the consideration of the measure at this stage I approach it as a whole much more than as a question of details. The details are undoubtedly complicated, and were subjected by the Tory Party in this House to a most searching and microscopical criticism. That stage of the Bill is passed, and we have now got to this question—what is the measure, as a whole, as it now stands before this House, and what is its value to the people of Ireland? It has been said in the course of this discussion—I think said by men

even professing to speak for the people of Ireland—that the Bill settles nothing in its present shape, and would satisfy no one in Ireland. Well, Sir, I confess I hold a diametrically opposite opinion. I hold—and I shall not be afraid to maintain this doctrine on any popular platform in Ireland—aye, or in Canada or in the United States or in Australia—where I know my countrymen as well as any other Irishman—that this Bill, so far from settling nothing, is a great Charter of liberty to the people of Ireland, and they will accept it in that sense. When I hear men talking about the question of finality, and when I come to consider or deal with finality and with the question as to whether this is to be accepted as a final settlement of the Irish National claims, I want to know what is meant by finality? If men mean when they speak of finality that this law is to remain like the laws of the Medes and Persians, as we are told in ancient books, remained, though I very much doubt it, without the alteration of a jot or tittle or clause or sub-clause, then such a finality is an absurdity, and never was heard of since human laws were first framed. Certain details there were in this Bill on which we differed from the Government, and on which, to some extent, we still differ; but I take the Bill as a whole, and if by finality we are to mean, as I think we ought to mean, that the people of Ireland, taking all the circumstances into consideration, and viewing this measure as a whole, would accept it, if passed into law, in good faith as a settlement of the National claims of Ireland, I say I believe they would. In my judgment, the great question which we have got to face and to answer is this—whether if this Bill were passed into law tomorrow or next week—and I wish to heaven it were—we, the people of Ireland, would accept it in good faith or not, or whether we would work it in good faith or not? I say we would work it in good faith. If the Government and the Liberal Party and the people of England are content to accept this as a final measure in the sense that it will be regarded as a substitute between the two peoples for the distrust and suspicion which have so long prevailed, I believe in that sense it will be received as thoroughly final. A good deal of criticism

has been expended on the details of this Bill, and in this connection I wish to say for my own part, and speaking on behalf of the whole of my Colleagues and the people of Ireland, I desire to take the opportunity of expressing my grateful and lasting sense of gratitude to the hon. Member for North Kerry (Mr. Sexton) for the way in which he has handled this difficult matter. I now take from the mouth of the Prime Minister himself the points which he stated as in his judgment covering the entire substance of the Bill, and I believe he was perfectly correct, so far as my poor judgment goes, in his statement that the eight points he mentioned cover the provisions of this Bill. I will go over those points *seriatim*, and I think I can say with reference to them that we are satisfied, and the people of England are satisfied, with regard to them. First of all, there is the supremacy of this Parliament. We accept the supremacy of this Parliament, and I am not aware that any considerable section of the Irish people wish to deny it. The second point is devolution and the responsibilities of the Irish Parliament. On that point also, as far as I am aware, the people of Ireland are content with the Bill. The third point is the constitution of the Irish Parliament. So far as that goes, on that point also substantially, I think I may say, we are content. A slight difference of opinion exists as to the number of Members, but that is a matter in reference to which no difficulty could arise. The fourth point has reference to disabilities and limitations. That is another point in reference to which some slight difference of opinion exists; but taking the measure as a whole, though some of the limitations and disabilities imposed on us are humiliating while others are wholly unnecessary, yet I think the people of Ireland have acted prudently, generously, and wisely in recognising the difficulties of a Government who wished to do them justice and in showing that they did not desire to hamper them unnecessarily. We have no objection to the disabilities, because we have no desire to do what the disabilities would prevent us from doing. The fifth point is the position and responsibilities and duties of the Executive. That is a matter of supreme importance. On that point also, I believe the people of Ireland are satisfied. I come to the

sixth point. The retention of the Irish Members in the Imperial Parliament. On this point a slight difference of opinion has been indicated by a section of the people of Ireland; but I say, on the whole, that although we think that the Irish Members in their full strength might be left in the Imperial Parliament until, at all events, the reserved questions were handed over to us, yet I think I can speak for the whole of my Colleagues and for the people of Ireland when I say that we would not have thought of endangering the passage of the Home Rule Bill on a question as to whether we should have 80 Members or our full strength. The seventh and eighth points mentioned by the Prime Minister refer to the Financial Clauses and to pensions to the Royal Irish Constabulary. I shall say nothing on the first-mentioned point, because there is still a difference of opinion between us and the Government on the Financial Clauses. It is largely a difference of calculation. The Government and the Liberal Party have recognised that for the first years of its existence the young Irish Government ought to be supported. The Government is in negotiation with the hon. Member for North Kerry, and if he gets the better of them, as I hope he may, I think the Government will do justice to us when the facts are fully brought to light. I am speaking for myself alone when I say that I consider this question is one of great importance; but, after the discussion which has taken place, I do not consider that it is a question to be placed in the same category or on the same footing with the granting to us of an Irish Legislature, which will make laws for the people of our country. I do believe that in the future, having recognised the proposal of my hon. Friend the Member for North Kerry, and having recognised the principle that we ought to have a surplus, that substantial justice will be done to the people of Ireland. As regards this Bill, I think I may say that the people of Ireland all over the world will accept it as a great measure of justice and liberty, and as some satisfaction for their national demands. As I have already said, the real question which we will have to consider and to solve will be whether, when the Bill is passed into

law, the Irish people will work it in good faith or not. What I have to say in answer to that question is that if the powers which are to be granted to the people of Ireland by this Bill are used in the manner that has been suggested from the Tory Benches, and if religious liberty or the unity of the Empire is interfered with in any way, the experiment will have proved a failure, and the prophets of evil will have been fully justified. But if the people of our country act, as we know they will act, in good faith, like civilised human beings, and not like maddened savages, I ask the Members of the Conservative Party what right have they to assume that the people whom they have never given a chance to obtain their liberty will use it when they get it so madly and so wickedly? If the people of our country act wisely, and with good sense, they will substitute between the people of Ireland and the people of England for that sentiment of suspicion and distrust which has lasted for centuries a feeling of friendship, of trust, and of good-fellowship. Charges have been made, cruel and unjust and monstrous charges have been built up in the course of these discussions against the people of Ireland. We have sat silent on these Benches all the while, not because we did not feel those charges, but because we knew that the people we represented in this House would appreciate the object we had in view. I ask with confidence any man in this House, is there one single charge which has been levelled against the people of Ireland which in the past history of this country has not been levelled against the democracy of England? In the days of the Chartist agitation and in the days of the Reform Bill the Tory gentlemen of England who are now trying to stand between the people of Ireland and their liberty levelled against their own countrymen language as foul and dishonouring and as unjust as anything that has been heard from the Tory Benches in this House during these Debates against the people of Ireland. [*Cries of "No, no!"*] The Tory Party may not like to be reminded now that the Tory democracy has sprung into being of these things, but what I have said is the literal truth. I say that the pictures which were drawn by the Constitutional Tory orators of 1829, 1831, and 1832 were more lurid and more

*Mr. Dillon*



terrifying as to what would be the fate of England or of the Empire if the masses were allowed to rule. Yet the Reform Bill was allowed to pass, and the disparaged and denounced masses of the working men of England were allowed into the Legislative Temple. That Temple was not pulled down, and robbery was not practised. On the contrary, the might and majesty and happiness of England increased in proportion as justice was done. I assert that the real truth of the history of this whole transaction is simply this: that the evils and the misery which have existed in connection with the relations between England and Ireland are to be sought in the action and machinations of the propertied classes of this country. The fact is, that for many a long year there has been built up between the people of England and Ireland a wall which was reared and constructed by the selfish monopolists of this country. [*Cries of "No, no!"*] Yes; that is true. The people of England on one side of that wall were taught to regard the people of Ireland as enemies; and on the other side the people of Ireland were taught by the Governments of this country to regard the people of England as their enemies; but that wall has been broken down, and the people of Ireland and the people of England, looking through the gaps which have been made, where they expected to find enemies have found friends. I say that the passage of this Bill through the House of Commons marks a new era in the history of the relations between the two countries. The Members of the other House may do what they like. This is not the first time that they have destroyed a measure of reform and justice. Do what they will, I say that the Third Reading of this measure in the House of Commons can never be undone. Although time has been wasted, and although a good deal of talk has been expended during the passage of the measure through the British House of Commons, yet I hold that these three months or 80 days have not been thrown away; that these 80 days have been the means of forming a bond of union between the masses of the people of England and of Ireland, have been the means of drawing them closer together day after day; and while we sat silent

upon these Benches giving no voice to our feelings, yet we felt that the discussions that were proceeding would yet bear good fruit in the struggle which has been going on between the peoples of the two countries. Let the Lords do what they think fit with the Bill. We, for our part, will advance into the future with confidence and with hope, knowing that for the first time in the history of these countries the millions of our race, whether they live in Ireland, or whether, by oppressive and unjust laws, they have gone to other lands, where they have flourished and multiplied—[*a laugh*—] I do not think it is a subject for laughter—the millions of our race, wherever they are, are still faithful to the land from which your laws drove them—the millions of our people, whether they live in Ireland or across the sea, will go forward in the battle with confidence to carry this great measure, side by side and shoulder to shoulder, with the millions of the people of England. Whatever may be the fate of the Bill in the House of Lords next week every man who sits here to-night knows perfectly well that such a combination is resistless, and that such a Bill is bound to become the law of the land.

\*MR. T. W. RUSSELL (Tyrone, S.) said, he had listened to the hon. Member for East Mayo with great interest. His speeches were always interesting, and he (Mr. T. W. Russell) confessed that any stranger, hearing the close of the speech of the hon. Member, would be under the impression that there was an English majority in favour of the Home Rule Bill.

MR. BYLES: So there is.

MR. T. W. RUSSELL said, his hon. Friend might take such liberty with facts as he chose, but his assertion would not make an English majority in the Lobby.

MR. BYLES said, that what he meant by his somewhat inarticulate interruption was that there was a larger number of votes cast in Great Britain at the last Election in favour of the Liberal Party than were cast against them.

\*MR. T. W. RUSSELL said, that the hon. Member for East Mayo observed that the Conservative Party had a great

objection to their past history being raked up and exposed. Well, of all men in the world, the hon. Member ought to have been the last man to make such a statement, because if there were a Party which could not afford to have their past raked up it was the Party of which he was a leading Representative. The Attorney General, in his extremely able and brilliant speech, stated towards the end that they had heard very little of Ulster of late in these discussions. Indeed, he had expressed a hope that the Ulster question had disappeared. Well, he (Mr. Russell) was there to-night as an Ulster Member for the express purpose, almost at the end of this lengthened discussion, to make the opinion of that Province clear to the Attorney General and to everybody else. There had been a good many attempts of late to misrepresent the opinion of Ulster with regard to the Bill. The Prime Minister received a Memorial not long ago purporting to be signed by 3,000 Presbyterians in that Province. What was that Memorial? He had paid a great deal of attention to it, although he had taken no part in questioning the Prime Minister with regard to it. If anyone would look at that Memorial he would find that two-thirds of the space was covered by a request for a revision of judicial rents, and the remaining one-third expressed the sympathetic feeling which the memorialists entertained for the right hon. Gentleman's efforts on behalf of Ireland. He (Mr. Russell) asked the House of Commons to remember that the phrase "Home Rule" never occurred in the Memorial at all, and it was hawked through Ulster and put before the tenant farmers as a Memorial in favour of the revision of judicial rents, the very thing that the Prime Minister and the Chief Secretary had not the slightest intention of doing. With regard to the observations of the hon. Member for South Fermanagh (Mr. M'Gilligan), he had told them that the Ulster farmers were about to turn Home Rulers—

MR. M'GILLIGAN said, what he had stated was that the Unionist farmers of Ulster were not satisfied with the existing order of things, and would welcome Home Rule or any other rule which would give them justice.

*Mr. T. W. Russell*

\*MR. T. W. RUSSELL said, he was not a prophet nor the son of a prophet, and he would say to the hon. Member—"Do not prophesy as to the Protestant farmers until you know." This much should be known to the hon. Member already—seeing that he had been obliged to leave the County of Londonderry in which he lived for South Fermanagh in order to obtain a seat—that no Home Ruler had the slightest chance of getting returned for his own county. He (Mr. T. W. Russell) wished to state for the benefit of the Attorney General two of the reasons, at all events, which animated the people of Ulster in their deadly hostility to the Bill. Speaking in their name, and without mincing his words, he said they objected to being governed by men whose record in the past gave no guarantee for just or good government in the future. He asked anyone to look over the record of the past for the last 30 years and say whether the people of Ulster were not justified in holding that opinion. He had been told—he thought by the Attorney General himself—that whilst gentlemen opposite had said and done things which were wrong and regrettable, they ought to rely on the sobering influence of power and responsibility. Well, if they were in a difficulty at any time they had only to go to the Chancellor of the Duchy of Lancaster, who explained everything. Here was an extract from the book of the Chancellor of the Duchy, on the very point the Attorney General had referred to. The right hon. Gentleman said—

"The chief lesson which a study of the more vicious of the State Legislatures teaches is that power does not necessarily bring responsibility in its train. I should be ashamed to write down so bald a platitude were it not that it is one of those principles which are constantly forgotten or ignored. People who knew very well enough that in private life wealth, or rank, or any other kind of power is as likely to mar a man as to make him, to lower as to raise his sense of duty, have nevertheless contracted the habit of talking as if human nature changed when it entered public life."

He commended that paragraph to the Attorney General. So far as the people of Ulster were concerned, they had no desire to rake up the speeches that had been so freely made during the past 13 or 14 years. The speeches were there, and they spoke for themselves; but, speaking on behalf

of Ulster, he said they could not expect them to hand over their property and liberty to men who, during the past 14 years, had shown that they respected neither the one nor the other. He put that matter plainly, not as his own view alone, but as the view held all over the Province of Ulster. The next thing they objected to was this—they did not think that a Parliament, mainly elected by illiterate peasants, and certain to be governed and dominated by the most arrogant priesthood in Europe, was at all likely to be a just Assembly. The people of Ulster held that opinion. They had a right to hold it. The illiterate peasants were there, and the Government would not help them to get rid of the illiterate vote. The priesthood were there, and the Government proposed, instead of lessening their power, to increase it. They could not eradicate this feeling from the minds of the people of Ulster. The people of Ulster had seen these men at work—they knew what these men were, and they had not the slightest intention of trusting them. The Prime Minister said yesterday that the Irish people—and in the right hon. Gentleman's view there were no people in Ireland except those represented by hon. Gentlemen below the Gangway—had never felt the Act of Union to be morally binding. It was carried against their wish, and they had never felt it to be morally binding. This measure, if it were carried to-night or to-morrow night, would be carried against the wish and the vote of the Ulster Representatives, who would not consider it morally binding upon them, and for the same reason. He came now to the Bill itself—to the pregnant fact that two-thirds of this measure had never been discussed at all. That one fact stood broadly out on the face of things. The hon. Member for Devonport (Mr. E. J. C. Mortou) had spent his time to-night in telling them what clauses of the Bill were discussed and what clauses were not discussed. That was useless so far as the people of this country were concerned. The plain fact of the matter was that the Government were proposing to read a Bill a third time, two-thirds of which had never been submitted to discussion in the House. What was the answer to that? When his right hon. Friend the

Member for Bodmin referred yesterday to the gag he called it "second-hand," and the Government seized upon that and proposed to tell the people of this country that they were not the inventors of this machine; they only took it second-hand. The answer to that was plain. It had been stated over and over again in the House. The six clauses of the Crimes Act, which were discussed fully in the House, comprised the whole operative portion of that measure. The Government had never answered that, or attempted to answer it. Could they say the same of the undiscussed clauses of this Bill? They knew perfectly well that they could not; and the Prime Minister yesterday, in his enumeration, pointed out that the great Reform Bill of 1831 took 39 days; but the Government had gone one better than that. They passed a Reform Bill for Ireland without discussing it at all, and also the arrangement for the redistribution of seats under the Second Schedule. They passed a new Reform Bill for Ireland and a new Redistribution of Seats Bill without discussion, and a pretty mess they had made of it! He did not think the Chief Secretary was responsible for that Schedule; he did not know sufficient of Ireland to have drawn it up. The Schedule was supplied by the ready-made department on the other side; it was merely handed to Her Majesty's Government, and it stood as their eternal disgrace.

MR. SEXTON [*Cries of "Order!"*] asked whether the hon. Member meant by the "ready-made department" the Party on that side? He wished to inform the hon. Member that the first the Irish Party knew of the Schedule was when they saw it printed in the Bill.

\*MR. T. W. RUSSELL said, he meant exactly what he had stated. And now, so far as the gag was concerned, he wished to show what hon. Members opposite thought of it in 1887? They had made a prophecy—which, like many of their prophecies, had not come true. On June 25, 1887, a leader writer made a prophecy in *United Ireland* at the closing of the Crimes Act Debate. The paper was then edited by the hon. Member for Cork City, and the writing was so like the hon. Member's that he

could almost swear to it as an expert in any Court. This was what was said—

“Debate is the lever by which abuses are removed. It is manifestly the interest of the mechanical majority of reaction to stifle Debate and extinguish minorities before they grew formidable. It is idle to hope that the weapon now used for oppression will be available for reform. A mechanical majority is unknown in the Liberal Party. No Liberal Prime Minister could lead a united Party to the merciless slaughter of free speech.”

Was he not right just now in warning hon. Members opposite not to prophesy until they knew? Was there not such a thing as a mechanical majority in the Liberal Party? Was not the Prime Minister ready to lead them to the merciless slaughter of free speech, and free speech not upon a Bill to put down crime, but upon a Bill to create a new Constitution for Great Britain and Ireland? The Government would not be able to convince this country that they had not gagged free discussion. [“Oh, oh!”] He had been quite as much about the country as hon. Gentlemen who cried “Oh!” and he could tell them they would find that the British people did not love proceedings of this kind. The next point with which he would deal was the representation of Ireland. He heard the Chief Secretary interrupt the hon. Member for the St. Stephen's Green Division (Mr. W. Kenny) when he said something about the feeling in Ireland on this subject. He wanted to deal with it, not from the Irish standpoint, but from the standpoint of the United Kingdom. They were in this House as citizens of the United Kingdom, and they had a right to discuss the question from the standpoint of the Imperial Parliament. A great deal had been made of what Liberal Unionists said on this subject in 1886, but he was not responsible for that, because at the time he was not in Parliament. Therefore, he was entitled to give his own view of the matter. There were only three ways of approaching the question. They must either exclude the Irish Members altogether, and they at one time proposed to do that, or they must retain them for limited purposes, and they proposed to do that in the beginning of the year, or they must retain them for all purposes as they proposed to do now. They had travelled the

whole gamut, and they had the satisfaction of knowing that there was now nothing left of the road to be travelled. For the exclusion of the Irish Members this much was to be said—that the British people would then be masters in their own House, and, even more important than that, they would be masters of the whole British Empire, and the Irish Members would not be entitled to interfere. He objected to that in 1886, and he objected to it now. He objected as an Irish Member. It was a monstrous thing that they should call on the Irish people to pay taxes and give them no representation, and he thought it a monstrous thing that if this country reserved to itself the right of proclaiming war, Ireland should have no voice in the matter. Then, as to the in-and-out clause, what had the Chief Secretary said on that matter? Speaking to his constituents at Newcastle on the 21st of April, 1886, the right hon. Gentleman said that the result of retaining the Irish Members for Imperial purposes only would be that we should have all the then existing block of English business and all the existing irritation and exasperation continued. He said that English feeling would not be allayed by such an arrangement, that Irish feeling would be exasperated by it, and that the whole efforts of the Irish Members would be directed to throwing their weight first in favour of one Party and then of another until the barriers, limitations, and restrictions which ought never to have been set up had been removed. The right hon. Gentleman added that, for his part, he could not see how an arrangement of that sort promised well either for the condition of Ireland or for the English Parliament. And yet the right hon. Gentleman had since backed the Bill containing that very provision. He did not blame the right hon. Gentleman for this, because it only showed the extreme difficulty of the situation. The Attorney General had that night defended the retention of the Irish Members for all purposes, and said it would be quite impossible for the opinion of the Irish Members to over-rule ultimately the opinion of English and Scotch Members upon any English or Scottish question. He very much doubted that statement. In illustration of the contrary, he cited the case

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of the English Local Veto Bill, in regard to which it would be quite possible for the Irish Members to overrule the opinions and defeat the purposes of the English Members. And, at the same time, they would allow the Irishmen to have the option of exempting themselves from the operation of the Bill. He defied the Government and their supporters to defend such a state of things on any English platform. The hon. Member for Govan blurted out the true reason why the 9th clause of the Bill was wanted—to force the Newcastle Programme down the throats of English Members. Now, with regard to the Land Question, the opinion of the Liberal Government in 1886 was perfectly well-known. The Liberal Government of that day absolutely declined to trust the Irish Parliament with the settlement of the Land Question. Speech after speech was made by responsible Members of the Cabinet — by the Prime Minister, Lord Spencer, and the Chief Secretary, among others; and all the speeches were in the direction that such a concession to the Irish Parliament ought not to be made. Why did Ministers take up that position at that time? They had just passed through the horrors of the Land League Campaign; the soil of Ireland was red with blood, the moral code had been absolutely obliterated in that country, and right hon. Gentlemen now sitting on the Treasury Bench dared not take the responsibility of handing over the land of Ireland to men who had violated all sense of honour and morality in the matter. Why, then, had there been a complete change of front? Why were Ministers ready to do in 1893 what they declared in 1886 they could not and would not consent to do? They had changed their minds for one reason, and one only, because hon. Gentlemen opposite would not thank them for an Irish Parliament in which they would be debarred from dealing with the Land Question. The handing over of the Land Question to the Irish Parliament was the means by which it was hoped to commend Home Rule to the Ulster farmers. In 1882, after the Land Act was passed, and when it had been only a few months in operation, the question was raised on the Address. Rents had been reduced in a few months by 23 per cent., and some

of the landlords brought the question before the House. Did the Prime Minister say that the Land Commission were right? Not at all. The right hon. Gentleman calmed the fears of those gentlemen, and said they had no right to reason generally from a few cases. He absolutely did not think that a general reduction of rent at that time would have been right or just. That was the position in 1882. The plain matter of fact was this—that Parliament in 1881 took, and rightly took, what the law called property from the landlords and gave it to the tenants. The Parliament of 1881 was right; but the Prime Minister pointed out to the Irish landlords, when that was done, that the residue left to them was absolutely safe and secure, and his Lord Chancellor (Lord Selborne) said the same thing. The same right hon. Gentleman who uttered those words in 1881 was now absolutely a party to handing over the whole of the Irish Land Question to the men who manned the Land League, who invented the Plan of Campaign, and who had made no secret of what they meant to do when the power came into their hands. The hon. Member for the City of Cork, addressing a meeting in County Tipperary on February 5, 1885, said—

“Remember that if our struggle is a long and a hard one the rewards and the prizes of victory are very great—prairie rents for the farmers, less than prairie rents for the labourers.”

The hon. Member was either expressing his true feelings or he was not. Did he mean prairie rents for the farmers? Then the hon. Member for North Louth said—

“I say that the property of the Irish landlords deserves to be abolished more than the property of the slave-holders deserved to be wiped out.”

Was the hon. Member fooling the people, or was he not? If he was, let him say so. If he was not, let him confess that he meant to rob the Irish landlords. That was the bribe to the Ulster farmer. He ventured to say that he knew the Ulster farmer rather better than hon. Members below the Gangway, and he ventured to tell them that they would not succeed in their mission. The Ulster farmer had ideas of his own about the land. Those ideas did not run in the direction of the revision of rents, but in the direction of the abolition of dual ownership. He

longed to own his farm, and he knew that a pauper Irish Parliament could never effect that for him. He knew that what he might save in rent that Parliament would take out of him in extra taxation. He knew that with the advent of the new Government all guarantees for good government would cease, and the chances were 500 to 1 that when hon. Members below the Gangway went to him with their cry of cheap land he would tell them that man did not live by bread alone, and would refuse to sell his country for their mess of pottage. Now he came to the question of education. If there was one question more than another on which the Irish people distrusted this Bill it was the question of education. He concurred with the hon. Member for East Mayo that the question of University education ought to have been settled long ago; but he was now dealing with the system of mixed education set up 61 years ago. It had worked marvels and had reduced illiteracy in Ireland from 57 to 18 per cent., and he thought it was the most extraordinary thing he ever heard of that hon. Members opposite, who were always talking about the advantages of Irishmen working together, should be the very men to seek to separate Irish children and to decline to allow children of different denominations to meet in the same school. At the present moment minorities were not only protected by the Conscience Clause, but by the time table and an innumerable host of rules; and, as a matter of fact, in the most distant parts of Catholic Ireland the Protestant child was as safe in a National school as he could be, and the same might be said of a Catholic child in a National school in the North of Ireland. The Government were going to hand over that system which had done so much for Irish education to a Parliament which, on this question at all events, would be controlled by men who had sworn eternal enmity to mixed education. That was being done by a Party many Members of which fought Mr. Forster in 1870—led by the Chief Secretary, who was foremost in the fight—led by a man who had taught a generation of Englishmen to hate clericalism and sacerdotalism, and now sat on that Front Bench to carry out their behests. He was told that under the 4th section

minorities would in every way be safe, that the Conscience Clause was a sacred subject that the Irish Parliament could not touch. But there was no need that the Irish Parliament should touch it, for by the Charter of the National Board the Commissioners could do it with the consent of the Lord Lieutenant without any Act of Parliament at all. An absolutely worthless Conscience Clause might be adopted in lieu of the present one. This was what was being done by the Party that made its political fortune out of its opposition to Mr. Forster's Bill in 1870. It was said that history repeated itself. Yesterday the Prime Minister had referred to Lord Macaulay, and he now proposed to read an extract from Lord Macaulay's history. Writing of a memorable epoch in Irish history, the great historian said—

“Unhappily James, instead of becoming a mediator, became the fiercest and most reckless of partisans. Instead of allaying the animosity of the two populations, he inflamed it to a height before unknown. He determined to reverse their relative position and put the Protestant Colonists under the feet of the Popish Celts. To be of the established religion, to be of the English blood, was in his view a disqualification for civil and military employment. He meditated the design of again confiscating and again portioning out the soil of half the Island, and showed his inclination so clearly that one class was soon agitated by terrors which he afterwards vainly wished to soothe, and the other by hopes which he afterwards vainly wished to restrain. But this was the smallest part of his guilt and madness. He deliberately resolved not merely to give to the aboriginal inhabitants of Ireland the entire possession of their own country, but also to use them as his instruments for setting up arbitrary government in England. The event was such as might have been foreseen. The Colonists turned to bay with the stubborn hardihood of their race. The Mother Country justly regarded their cause as her own. Then came a desperate struggle for a tremendous stake.”

They might look for King James to-night. The extract which he had read was an exact description of the present situation. The struggle was the same now as then, and the Mother Country might still rely, as she relied in the olden days, upon the hardihood of those who were proud to trace their descent from her. He believed also that those who stood at the outpost of danger, just as their ancestors did, might equally rely upon the Mother Country, to make an end of this precious scheme, and thus to

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bring peace both to England and Ireland.

\*MR. BIRKMYRE (Ayr, &c.) said, he might frankly tell the House that he could not say one single new word upon this interminable subject of Home Rule. He ventured to think that the House would lose nothing if it proceeded at once to a Division upon the Bill. The country would not regret it if it could be so, and many weary and jaded Members of that House would find great relief. If, however, he could say nothing new upon this Bill, he could and did congratulate the House that at last they were within measurable distance of giving effect to the views of the constituencies as they were expressed at the last General Election, and of fulfilling other pledges which, at the same time, were given to the country. It must not be forgotten that this country was no less than seven years in arrears with Liberal legislation. He hoped that Members of all shades of Liberalism—even some of the Liberal Unionists—would join with the Government, and give them their assistance to pass many much-needed Liberal reforms. He hoped it would not be considered presumptuous in a new Member of that House to venture to remark that it was to be regretted that at every stage of this Home Rule Bill the arguments adduced against it had been of a dismal prophetic character, and that they had been so largely of a personal and recriminatory sort; of the kind known as the “you’re another” argument; for if ever there was a question which should be settled independently of any feelings of this sort, and simply upon its own merits, apart altogether from consideration of Party, he maintained that if national interests only were considered that was the question of the Third Reading of this Home Rule Bill, which might, he affirmed, pass without a Division. What mostly struck a new Member like himself, when he entered the House and took part in the business, was the terribly congested state of business that prevailed, and the utmost difficulty that there was for legislative action to be taken, and the great facilities given to the Opposition for opposing the express wishes of the people as declared at the General Election. He contended that as Irish Members occupied so much time of the House one of the first

measures to be adopted in order to get rid of the congestion was to give the Irish a Parliament in Dublin. The first question to be asked upon that, he apprehended, was whether Irishmen were, judging from the past, politically capable of self-government? Irishmen representing the people of Ireland in the House of Commons had led the way in the great political movements of the century. The Irish were the first to lay down the political dogma that no man ought to suffer political disability on account of his religious belief, but he would not detain the House by naming any of the other great measures in which Irishmen had led the way during this century. Hon. Gentlemen opposite had a profound admiration for the Constitution of this country, and he contended, in all seriousness, that if they were to deduct from the Constitution the great measures which Irishmen had been instrumental in engrafting on the Constitution there would be very little left of the Constitution worthy of admiration. That incontestable fact gave him hope, and was, in his opinion, a reply to all the groundless fears which had been expressed to the effect that this Bill handed over the destinies of Ireland to the illiterate voters and priests of Ireland. If these illiterate voters and priests had in the past sent such a body of men to the House of Commons, who they must all acknowledge were adepts in Parliamentary procedure, it was not unreasonable to expect that in their own country, under the happier auspices of a new political life, Irishmen would at least maintain the reputation they had gained in this Parliament, and, perhaps, would be able to set an example even to this Parliament itself. The great influence of the illiterate voter and the priesthood in Ireland had been owing to the hateful measures embodied in the word “ascendency.” If Irishmen had been granted the system of education asked for years ago the proportion of illiterate voters in Ireland would have been much the same now as it was in other countries. But, speaking of the influence of the priesthood, he asked whether priests in Ireland were the only clergymen who interfered in politics? Hon. Members did not need to cross the Channel in order to get an object-lesson

in the interference of clergymen in politics. There was this difference, however : that the beginning and the end of all the priesthood's interference in politics in Ireland was on account of their profound sympathy with the sufferings of the people. It was not for the sake of the loaves and fishes of the State. He wished he could say the same for the clergymen of Scotland, England, and Wales. It was but right to state that when ministers of the Established Church of Scotland preached at Liberal candidates, they usually prayed for them as well. If political consistency was a virtue, then he maintained that hon. Gentlemen representing Ireland were the most consistent of statesmen. The discussions on this Bill had taught them an object-lesson in consistency, for if there was one principle which gentlemen opposite held dearer than others it was that there should be a Second Chamber, and yet they voted against a Second Chamber for Ireland. Such political apostasy they had not found Irishmen guilty of. They had heard a great deal about the retention of Irish Members in Clause 9, but it must not be forgotten that gentlemen opposite voted for the full number, 103, being retained. He was not afraid of that clause, and he rather fancied that, if principles and political consistency were considered, the effect of that clause in the Ayr Burghs would be to increase at the next Election his majority of 7 votes to nearer 700. He was not afraid of all the arguments which had been advanced against the Bill. What he was afraid of was the envenomed hostile feeling expressed not so much in argument as in jeers and sneers, with which hon. Gentlemen opposite saluted the oft-quoted words "Union of Hearts."

SIR H. JAMES (Bury): I have trespassed so often and at such length on the attention of the House during the progress of this Bill that I had resolved to take no part in the Debate on the Motion now submitted from the Chair. But a speech of great ability has been delivered this evening by my hon. and learned Friend the Attorney General, and I desire to make a few observations on the arguments he employed. My hon. and learned Friend began his speech by saying that this Bill ought to

receive the approbation of the House because it was founded on the plain natural right of self-government. When I heard, in the course of the speech, my hon. and learned Friend claim that this country was a united country, so that we could not distinguish for any purpose between the British vote and the Irish vote, I ask—How is it that within this United Kingdom there can be a claim for self-government by Ireland when the whole of this United Kingdom has self-government now? If this claim is made as a natural right on the part of Ireland, on what is it founded? If self-government be conceded to Ireland, why should it not be conceded to Scotland, Wales, and England, or within an area—if different blood be found to exist there—which comprised Cornwall or Yorkshire? We are determining the great question of Federal existence when such an argument as that is employed. If this argument is employed you must have complete Federation, and you must bring into existence, if not a Heptarchy, numerous divisions of the Kingdom, and say that they have a natural right to self-government. Will the Government dare to make any such proposition? If they do, they must make it as a whole, and not by a piecemeal and unequal Federation. The second argument of my hon. and learned Friend was that the reason the principle of Home Rule was not accepted in 1886 was because it was submitted to unprepared constituencies. "There was no preparedness amongst the constituencies," said my hon. and learned Friend. Sir, that is the reason that there is no substance in this Home Rule proposal. Some people say that this is a great revolution; others say it is a great reform. I put it to the House—Has ever a great revolution been submitted to the people by one man, and has a revolution ever been successful except it came from the people, and not from a command and order given to them that they should vote for it? Let us come to more peaceful proceedings. What reform has ever been carried by a people not in a state of preparation to receive it? The true growth of reform is within the ranks of the people, strengthened from within, urged forward by them according to the growth of public opinion, and so at last becoming accepted by the leaders of the

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people. There were members that were unprepared, as the whole Liberal Party was when, in 1886, one man commanded the reform to be carried out. Since that time there has been no natural growth of reform in the direction of this Bill. It has been merely a matter of Party action and Party policy, which the people had to receive at the dictation of one statesman. My hon. and learned Friend referred to 1832. Was it wise of him to refer to that period? In 1832 there was a national enthusiasm in the demand then made for Reform. We hear no such cry now. Why, even if you tried to raise it you could not. In those days the cry was—"The Bill, the whole Bill, and nothing but the Bill." I would ask my hon. and learned Friend to try and raise that cry at the present moment. How near would he be able to get to it? It would be something like this—"The Bill, the new Bill, and nothing of the Bill." That is all that he could say after the Debates that have taken place in this House. My hon. and learned Friend then proceeded to press as an argument in favour of Home Rule the unanimity of opinion in Ireland. He said—"When has four-fifths of any portion of this country made a demand for a measure which we did not grant?" I thought this country was a united country. My hon. and learned Friend, strangely enough, used that argument at the same time that he said—"You have no right to apportion the majority—you have no right to distinguish between the Irish, the English, and the Scotch people." Some day it will be said that four-fifths of the Welsh people ask for Disestablishment, and that it is Welsh opinion only that must decide the question. I think we shall then be able to use the argument that the whole people, speaking as a whole, and not any part of them, should determine these questions. I demur entirely to the view taken by the Government and their supporters in regard to their right to prevent free discussion in this House. Hypothetically assuming it to be true, although I deny the statement that we have occupied more time than we ought to have occupied in discussing the 2nd, 3rd, 4th, and 5th clauses of the Bill; and supposing that we have overestimated the importance of those clauses, I say we are dealing with the gravest

measure that has ever yet been introduced into this House that affected a whole people. It is, as I have said, a revolution of great and fundamental importance. Now that we are dealing with the action of individual Members, is it not fair that the punishment you inflict upon those who have so used the time of the House shall be in some way proportionate to the offence, and that it shall fall upon the right people? The hon. Member for Bedford said that really we ought to be very glad that the Closure had been applied, because it enabled us to get away earlier from the labours of this House. But if it be true, if we are glad to go, where is the punishment to us? The punishment is not upon the erring Member, but upon every Irishman who has nothing to do with this House, and who is dependent upon the wisdom of the provisions of this measure for his good government. Every man who is represented by hon. Members who sit near me may suffer the evils of arbitrary and class government, and what will it be for us to tell them—"The measure was never discussed, the provisions were not settled by argument, and the only reason is that some Members spoke too often, and at too great a length"? The punishment will fall upon our country when our country is suffering from the weakness imposed on it by this measure. The punishment will fall, not upon us—not upon the men who have committed the crime, but upon the innocent, who have taken no part in obstruction, and who have only desired that there should be serious discussion before any measure was placed upon the Statute Book. My hon. and learned Friend proceeded to utter in words almost of indignation—words cheered by hon. Members below the Gangway—a denunciation of the House of Lords; and he quoted a recent speech of the Leader of the Liberal Unionist Party declaring that the House of Lords would be justified in rejecting this Bill because it had not been discussed in this House. My hon. and learned Friend said that it was a monstrous doctrine, and a usurpation by the House of Lords. Let us consider to what result my hon. and learned Friend's indignation leads him. I have understood that in this Constitution of ours

there were two deliberative Assemblies, and that they ought each of them to perform the function of deliberation. I agree with my hon. and learned Friend that the House of Lords have no right to control the details of our procedure. They cannot say to us—"We think your Standing Orders ought to be altered, so that you can sit beyond 12 o'clock"; but they have a right to demand from us that we shall share the responsibility of legislation. They have the right to ask when we send up a Bill—"Have you deliberated upon it? Have you tested the wisdom of its provisions, or have you simply discussed one-fourth of its provisions and not discussed the other three-fourths, asking us to bear the full responsibility for all that you have not discussed?" Let us be just. If the House of Lords sent a Bill, even of four clauses, down to us, with three of the clauses undiscussed, what should we say to the House of Lords? And if that Bill had the slightest suggestion of Conservatism or Liberal Unionism in it the Attorney General would be still more emphatic than he was to-night, and he would say—"What have we to do with the idle and lazy men who will not discharge their duty? Why should we, the Commons of England, be called upon to do the work of the House of Lords?" Would he not ask that that Bill should be remitted to the House of Lords that they might duly exercise their duties as a deliberative Assembly? If we have not been sufficiently brief in order to satisfy, not the demands of Parliament, but the demands of Party, what have the House of Lords to do with that? They say—"We ask you simply to bear your portion of the deliberation, and when you have done that we will consider the measure. There are peculiar reasons why the House of Lords should say so in this case. If we ask that Chamber to perform our duty as to certain portions of the Bill, and if they do endeavour to discharge the double duty, what will follow? Let us take the financial provisions. If they were to criticise too much in this matter, where we have never exercised our discretion at all; if they were—in these clauses, which present all the features of a Money Bill—to reconstruct this clause and alter that, my hon. and learned Friend's in-

dignation would break out again, and he would say—"What have they to do with such matters as these, which are within our peculiar province?" He would ask the House of Lords to accept our judgment in this matter—our judgment which we have not yet been able to express. Let us be just, even to those whom we regard as our opponents. There are Members, I know, who have no particular affection for the House of Lords. But what is their duty if they are to exist at all? We know, and the House of Lords know, that it is not to oppose the will of the people. They have given full proof of that during the last 60 years. The House of Lords have to act in two capacities. Personally, each Member entertains his own opinion; but, collectively, they submit them to the demands of the Constitution. The majority of the House of Lords did not agree with Catholic Emancipation, but they accepted the Bill. But that Bill had been for years before the public, and a majority of the House of Commons had considered every line of it. That Bill went to the House of Lords with the approval of the majority of the House of Commons and of the country. In 1832 the individual opinion of the House of Lords was against the Reform Bill; but there, again, they did not oppose the judgment of the people. But they knew that every line of it had been discussed in the House of Commons. As to the Irish Church Bill of 1868 and the Representation of the People Bill of 1884, the House of Lords did not oppose the will of the people. But whilst they have shown their wisdom in these instances, what do you expect from them next week? What is their duty but to say that before the Bill passes into law it shall have the sanction of the people of this country, and also that the sense of the House of Commons shall have deliberated not only upon every principle, but upon every detail that affects the Constitution? I wonder what would be said of the House of Lords if, instead of performing the duty of a Second Chamber in checking hasty, rash, and ill-considered legislation, next week they said—"We will accept this Bill? True, it has never been approved by a majority of the constituencies, as the Bill of 1832 was approved; true, the House of Commons has

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refused to go through its details and discuss it; but, nevertheless, we will pass it." Then, let the time come when, under this Bill, great disorder and disaster may arise, what would be said of that Chamber as a whole; what would be said of every individual Member of it? It would be said—"You had the power to stay the passing of that Bill; you had the power of asking the people of the country to say 'Aye' or 'No' do you approve of it; you had the power to remit it to the House of Commons for full and complete consideration, but you abdicated your function, and you refused to do more than blindly accept that which you believed to be wrong, and which you believed had neither been approved of by the people or by Parliament." There will be an attempt to pass this Bill some day, not upon its merits, but it will be an attempt to pass it by raising a cry. It may be a cry against the House of Lords for performing its primary duty. But, Sir, there is a good deal of common sense in the people of this country. There may be men who will ask that the House of Lords shall be abolished and cease to exist; but so long as it does exist it must at least justify that existence by the utility of its acts, and the first utility that will be found within its action will be not to refuse to pass a measure according to the arbitrary view of individuals who shall form that House, but to refuse to pass any Bill until it has received the sanction of popular approval. How ought that approval to be shown? In one breath the Attorney General tells us that we must take the constituencies as a whole, and in his second argument he said we should look, not to the constituencies as a whole, but to the Irish people; that they desired this measure, and that, therefore, we ought to give it. Well, Sir, we have heard these arguments before. We have now a demand made upon the House of Lords to pass a measure which shall separate the Union, for legislative purposes and Executive purposes, between Great Britain and Ireland. Well, Sir, who ought to express their views upon this subject? My hon. and learned Friend said—"Oh, you ought never to separate the countries to see what the opinions of the countries shall be." We have learned a lesson from the Prime Minister, who told us, in respect

of the existence of the Irish Members in this House, that the British electors ought to determine that question, and we learned from him that the British electors had something special and separate to say when they were asked to allow Great Britain to have legislation imposed upon it by Irish Members, while we cannot legislate in return. I suppose when you are separating the bonds of Union both the entities that compose that Union should be consulted. When the operation of separation was proposed to be performed upon those two unhappy individuals, the Siamese twins, both of them were consulted beforehand as to whether it should be done or not. If they had asked only one and not the other the injustice would have been of the greatest, and the injury, I believe, would have been resented by the one not consulted on the subject. We demand at least that before Great Britain is to be separated from Ireland, and ruled by Irish Members in this Chamber, that Great Britain shall express its opinion upon it, and if it come to pass that there shall be found a majority in Great Britain, as there is now, opposing this measure, that voice must be listened to, and the House of Lords will not be enabled to say—"We will not listen to that voice, but we will, under all the circumstances, listen to the voice of the majority in respect of the Three Kingdoms. We will not listen to the more powerful Kingdom who resents the fact not so much of disunion, but of the Government of that country being carried on by Irish Members without a corresponding power being given to English Members." My hon. and learned Friend the Attorney General became indignant, and said he had been shocked over and over again by the contemptuous way in which the Irish people had been spoken of. We have not been contemptuous of their ability, zeal, or personal worth. But peoples must be spoken of according to their conduct, and we speak of those who represent the political force of the Irish people not according to a fancy estimate we have to make of them, but according to their acts—acts which have been proved and established, and upon which judgment has been given. Of the Leaders of the Irish people we have spoken not so much in terms of contempt

as in terms of censure and condemnation. They are men who have governed Ireland, not in the name of the law, but, in fact—some of them at least—for 12 or 13 years with the power of crime. Hon. Members sitting upon the Benches opposite helped to found the Land League, controlled and organised it, and that was a League which paid for the commission of crime out of the funds of the League. ["No, no!"] Hon. Members who say "No, no!" are ignorant of the facts which have been proved and established by documents written in the names of the Leaders of the Land League. [*Cries of "No!"*] If hon. Members challenge me, I will tell them who were the men who knew that payments were made to men who committed outrage and crime. And these are the men who, having thus controlled and governed Ireland, who were censured by none so acutely and so severely as by the Ministers now in power, whose crimes were known to them and condemned by them—to them is to be handed over the power of governing their fellow-men in Ireland. Sir, that is not the language of contempt, but it is the language of condemnation. Hitherto rewards have been given under every conditions of life to citizens, at least, for good conduct; but you are now about to reward these men for bad conduct. And apart from the main fact that you are now entrusting them with the government, not only of those who agreed with them, but of the men who disagreed with them, can the House refuse to recognise what effect this must have upon the Irish people who are not of the Leaders? Sir, they will recognise quickly enough that these are the men who preached defiance of the law, and who summoned the men of Ireland from the hill-side to defeat and break the law, and that they are the men who did not disapprove of outrage and mutilation, and in some instances of murder. And then the Irish people will be told that it is those men who led on that crime that the Imperial Parliament has thought fit to reward with high distinction, and power, and place. And what, in time to come, will those more humble Irishmen say? They will say—"Let us defy the law; let us attempt to defeat the representatives of law and order, and we,

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according to this new political morality, shall receive our reward; we shall be as successful against our Leaders as they formerly were against theirs." We are to justify and approve the very lowest grade of political morality that it is possible to conceive. I now return unwillingly to the subject I just referred to. This degradation of political morality and true government has not come from the mandate of the people; it has come simply from the exigencies of a Party, who have bought the alliance of those whom it has placed in the position of governing them. The few arguments dealt with by my hon. and learned Friend the Attorney General referred to three portions of the Bill—the veto, and the position of the Viceroy in respect to it, and the power of the Exchequer Judges to enforce their decrees. In the first place, he told us—and I suppose it was satisfactory to the Irish Members to hear—that the Viceroy, as representing the Sovereign, was to act with a power in the Irish Parliament that no one, I think, has ever seen exercised in any Parliament—not in this, at any rate, since a certain bauble was removed from the Table. According to the Attorney General, the Viceroy is not to act Constitutionally under the advice of the Executive Committee, but to keep watch and ward. He is to say—I think the words were used by some Member of the Government—"My good fellow, you are not to pass this Bill. I really do not like it. I, the dictator of Parliament, tell you that I do not like it, and that if you pass it you are acting against my orders." This is the position in which you put the Representative of the Sovereign in this country—a position which, if there was no other objection to it, must produce conflict, and which cannot for a single moment represent the good government of Ireland. My hon. and learned Friend came to the point, and then he ran away. He depicted the view that had been presented by the Chancellor of the Duchy that the Chamber will say to the Lord Lieutenant—"We will refuse you supplies if you veto this Bill," and when we were all expecting him to tell us what would happen when that occurred my hon. and learned Friend passed from the subject, and left it without one word of explanation. He next told us he



would deal with the land; but, again, on that subject he had nothing to say. Following the example of a celebrated Scotch Minister, finding the subject one of difficulty, he passed on to the next, and never touched the land at all. There was one other matter he did deal with. He knows the position of the Judges under the 19th clause, and he says—"Oh, they may enforce their decrees under Sub-section 5!" What is that? These two Judges, gentlemen of advanced years, learned in the law, make a decree, but they are without forces at their disposal. Are they to raise forces of their own to carry out their decrees? "No," said my hon. and learned Friend, "they are backed by the Imperial Executive." Imperial Executive where? There is none in Ireland. The Imperial Executive here? By whom will that Imperial Executive be represented? By military force, and military force alone; and if these Judges come and fail to obtain the assistance of the Executive power in Ireland—and it is upon that hypothesis that you will bring the Imperial Executive into play—that means conflict between the two Governments, and once you use the military forces of the Empire against the Executive Government in Ireland it is simply civil war. My hon. and learned Friend told us the interesting anecdote about Georgia, but he evidently did not know the facts. The Supreme Court of the United States granted a writ of habeas corpus, and the Chief Justice of the Supreme Court issued his decree. The President of the State of Georgia said, "Let him execute it," and the decree was sent to Georgia; but the State of Georgia laughed at it, and took no notice of it. The men remained in prison for months, and then made submission of their own accord. It was only then that the State of Georgia, having defeated the action of the Chief Justice of its own motion, released the prisoners. I may read from a book which has caused so many people to exclaim—"Oh, that mine enemy—my political enemy—would write a book!" I refer now to this well-worn book *The American Commonwealth*, and this is what the Chancellor of the Duchy there says of this incident—

"This successful resistance of Georgia in the Cherokee dispute gave a blow to the authority of the Court, and marked the beginning of a new period of history."

And this is the example which my hon. and learned Friend gave, not only to prove that the Exchequer Judges would be powerful men with the Imperial Executive at their back, but to prove, what is much more important, that we shall be able to see that their decrees given in the Imperial interest will be enforced, and will not be laughed at and treated by the Executive of Ireland as Georgia treated the decree of Chief Justice Marshall. I am not very well acquainted with local affairs in Ireland, but I have a recollection of some matters connected with the Corporation of Limerick. That Corporation refused to obey certain orders, and I picture to myself these two Exchequer Judges telling the Corporation of Limerick that they are to pay a certain sum of money, and the Corporation of Limerick, with the approval of the Irish Executive, saying—"We will not pay it." What is to be the remedy, and how is the position of these Judges to be different to that of Chief Justice Marshall, whose authority was shaken, if not destroyed, in the Georgia case? Would not their position be the laughing stock not only of this country, but of people throughout the world? There is one good reason (pointing to the clock) why I cannot continue to deal with the arguments of my hon. and learned Friend. I should have liked to have demonstrated that there has been no undue discussion of this Bill. We were told a short time ago by a Member of the Government that anyone could find something to say in the way of Amendments if dealing with a Bill of Rights or Magna Charta. I doubt whether you can draw any comparison between those great measures and this Bill. They were merely declaratory of the law; but here we have to deal with a measure of which the hon. Member for Sunderland said that every clause represents a Bill, and of which the senior Member for Northampton wrote that it was 20 Bills rolled into one. It is a measure which destroys one Constitution and attempts to erect another, and it is impossible that any one line of it can be treated as a declaration of the law. It is a measure dependent upon the

thoughts and wisdom of men, and the men who have to deal with the measure are answerable for every word in it. In erecting a Constitution you ought to have a main concurrence in arriving at some definite conclusion according to admitted pledges to the country. But when you ask 670 men, more or less equally divided, every one of them, to bear the responsibility for this measure, and to be answerable to their constituents for all that is in it, you must expect prolonged discussion, and discussion which cannot be controlled by the precedent of olden times. In those days men were not answerable to their constituents as they are now. In those days men did not take the part in political discussion they do now, and they acted without due regard to the responsibility of their position as legislators. At any rate, we are in a different position, and it is impossible with us that this most contentious Bill should be otherwise than discussed with the greatest deliberation. This Bill, as my hon. and learned Friend anticipated, goes to its death, and we scarcely know whether we can ask even a decent sepulture for it, for we are sending up only the mangled remains of a Bill. It is not even a body that can be recognised in any feature. We send it to another place in order that it may, I suppose, be interred with some decency. Whatever may happen, we shall have nothing to blame ourselves for. We have done our best to prevent this insufficient and uncertain legislation, and if we fail the fault is not ours. It was said long ago that England would never be undone lest it should be by Parliament, and we who in this day are Members of this Parliament have done our very best to prevent the undoing of our country, and we believe we shall succeed, not by our individual efforts, but simply by the wise judgment and common sense of our countrymen.

\*MR. JUSTIN M'CARTHY (Longford, N.): I am afraid, Sir, I shall have hardly time to make any lengthened or elaborate reply to the right hon. and learned Gentleman to-night. The right hon. and learned Gentleman has made a speech to which we all listened with a great deal of curious interest. Before he started off, according to what the American war song says, "on his march

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in Georgia," he occupied himself with two special functions. We often hear of a speech made to the Gallery. The greater part of the right hon. and learned Gentleman's speech—the early part of it—was a speech made to the Peers' Gallery. He addressed himself altogether to the House of Lords, pointing out to them what their Constitutional duty was, and laying down for them some strange and singular doctrines. The right hon. and learned Gentleman laid it down as one of the rights and duties of the House of Lords never to pass any Bill coming up to them from this House until they had first ascertained whether the feeling of the people of the country was in favour of that Bill. Now, I want to know whether there is any method by which the House of Lords can learn what the feeling of the country is except through the expression of this Representative Assembly? Then, again, he said to the House of Lords that if they should pass a measure which is not a measure that works well, they will be told by everybody whom the measure injures—"You are the guilty persons, because you, before you passed this Bill, should insist on having a fresh opinion from the constituencies of the country." Well, I want to know where in Constitutional Law any doctrine of that kind lies enshrined? Who ever gave the House of Lords power to appeal to the constituencies of this country, or in any way, direct or indirect, to enforce an appeal to those constituencies? The House of Lords has got to take a measure as it comes from this House, either pass it, or amend it, or mutilate it, or not pass it at all, but they must accept a measure coming from the majority of this House as a measure sent up by the majority of the people of this country.

It being Midnight, the Debate stood adjourned.

Debate to be resumed To-morrow.

#### LIGHT RAILWAYS (IRELAND) [GRANT].

Resolution reported ;

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of an additional annual sum, not exceeding £5,000, for the purposes of "The Light Railways (Ireland) Act, 1889," and the Acts

amending the same, and the payment out of the Consolidated Fund of the United Kingdom, of any sums lent by the National Debt Commissioners, under the provisions of 'The Public Accounts and Charges Act, 1891,' for the commutation of the said additional annual sum."

MR. T. W. RUSSELL (Tyrone, S.) asked for some explanation of the Resolution.

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) said, the Bill which would be introduced, if this Resolution were agreed to, was for obtaining powers to provide the remainder of the money which was pledged by the late Government for making light railways. The amount required for the purpose was £1,142,000. There was at present available under the powers of the Acts already passed £976,000, leaving a sum of £166,000 to be provided for. The Bill was intended to provide the sum. Though it was originally estimated that the sum required would be £1,145,000, that amount had been since reduced to £1,142,000, a reduction of £3,000 being effected on the original Estimate.

MR. T. W. RUSSELL: Does this complete the whole?

SIR J. T. HIBBERT: It will complete the whole.

MR. T. W. RUSSELL remarked that he never intended to oppose this Resolution. He simply desired information.

MR. BARTLEY (Islington, N.) must raise his protest against this Resolution. It was all very well to sanction the expenditure of this money under the late Government when no Home Rule was contemplated, but he protested against his constituents being taxed to provide railways for Ireland in face of the fact that the Government were attempting to pass a Home Rule Bill which would cut off Ireland altogether.

Resolution agreed to.

Bill ordered to be brought in by Sir J. T. Hibbert and Mr. J. Morley.

Bill presented, and read first time. [Bill 453.]

## AGRICULTURAL EDUCATION IN ELEMENTARY SCHOOLS BILL.—(No. 78.)

### SECOND READING.

Order for Second Reading read.

Objection being taken,

MR. JESSE COLLINGS (Birmingham, Bordesley) asked the House to consent to the Second Reading of this Bill, which sought to enable agricultural schools in England to have small gardens attached to them for the purpose of agricultural teaching. The system had been adopted with good results in Ireland.

MR. T. M. HEALY (Louth, N.): This is the sixth time I have heard the right hon. Gentleman speaking on the Second Reading of this Bill. How often has he a right to move the Second Reading?

MR. JESSE COLLINGS: Might I move that the Order for the Second Reading be discharged and the Bill withdrawn, in consequence of the continued opposition of the Irish Members to it?

Order discharged.

Bill withdrawn.

## HABEAS CORPUS (IRELAND) BILL. (No. 452.)

### SECOND READING.

Order for Second Reading read.

Objection being taken,

MR. CLANCY (Dublin Co., N.) asked to be allowed to explain that this Bill consisted of one clause taken from the Home Rule Bill in accordance with the Motion of the right hon. and learned Member for Bury (Sir H. James), and which was voted for by the whole House. There was a perfect agreement on the matter, and he did not, therefore, see how anybody could object to it.

Second Reading deferred till Tomorrow.

## SUSPENSION OF THE TWELVE O'CLOCK RULE.

THE PATRONAGE SECRETARY TO THE TREASURY (Mr. MARJORIBANKS, Berwickshire) gave notice that the Prime Minister would to-morrow

(Friday) move the suspension of the Twelve o'Clock Rule in respect of the Government of Ireland Bill.

MR. BARTLEY : Can the hon. Gentleman say whether we can have the form of the Resolution promised by the Prime Minister ?

MR. MARJORIBANKS : That will be put on the Table of the House at the very beginning of the Sitting to-morrow.

MR. BARTLEY : It will not be circulated ?

MR. MARJORIBANKS : No.

#### INDUSTRIAL AND PROVIDENT SOCIETIES BILL.

Lords Amendments to be considered forthwith ; considered, and agreed to.

#### COUNTY SURVEYORS (IRELAND) BILL. [Lords].

Read the first time ; to be read a second time upon Monday next, and to be printed. [Bill 453.]

#### MESSAGE FROM THE LORDS.

#### LONDON IMPROVEMENTS BILL.

That they do insist on their Amendments to the London Improvements Bill, to which this House has disagreed, for which they assign their Reason.

#### ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.

Lords Amendments considered.

Several agreed to.

One disagreed to.

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to one of the Amendments made by the Lords to the Bill :—Mr. Acland, Mr. Henry H. Fowler, Mr. Seale-Hayne, Mr. Causton, Sir Francis Powell, Mr. Leveson Gower, and Mr. Charles Spencer :—To withdraw immediately.

Three to be the quorum.

Reason for disagreeing with the Lords Amendment reported, and agreed to.

To be communicated to the Lords.

#### SALE OF GOODS (*re-committed*) BILL [Lords].—(No. 441.)

Considered in Committee ; Committee report Progress ; to sit again upon Monday next.

*Mr. Marjoribanks*

#### NAVAL DEFENCE AMENDMENT BILL.

Read a second time, and committed for Monday next.

#### WORKING MEN'S DWELLINGS BILL.

(No. 9.)

Considered in Committee ; Committee report Progress ; to sit again upon Monday next.

#### ALLOTMENTS AND SMALL HOLDINGS (PUBLIC AUTHORITIES) BILL.—(No. 247.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### TECHNICAL INSTRUCTION ACT, 1889.

Copies presented,—of Minutes sanctioning the Subjects to be taught under Clause 8 of the Act for the following Counties, &c. :—County of Durham (Third Minute), dated 22nd July, 1893 ; County of Berkshire (Second Minute), dated 15th August, 1893 ; County Borough of Oldham, dated 15th August, 1893 ; Pembroke Township (county Dublin), dated 17th August, 1893 ; County of Leicestershire (Fifth Minute), dated 17th August, 1893 ; [by Act] ; to lie upon the Table.

#### ENDOWED SCHOOLS ACTS, 1869 TO 1889, AND WELSH INTERMEDIATE EDUCATION ACT, 1889.

Copy presented,—of Scheme for the management of the Funds applicable to the Intermediate and Technical Education of the Inhabitants of the County of Merioneth, in the matter of the Foundations called or known as (1) the Bala Grammar School ; (2) the Charity of the Reverend John Ellis ; and (3) Dr. Williams's School, Dolgelly, &c. [by Act] ; to lie upon the Table, and to be printed [No. 394.]

#### POST OFFICE.

Copy presented,—of Thirty-ninth Report of the Postmaster General [by Command] ; to lie upon the Table.

House adjourned at a quarter after Twelve o'clock.



## HOUSE OF LORDS,

*Friday, 1st September 1893.*

Several Lords—Took the Oath.

FERTILISERS AND FEEDING STUFFS  
BILL.—(No. 263.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\*LORD RIBBLESDALE said, he hoped their Lordships would give a Second Reading to this Bill. It was not a Party measure, but was prepared on the lines indicated by the Departmental Committee appointed in March, 1892, by the then President of the Board. The Committee was presided over by the noble Lord the then Member for the Medway Division, and it had the advantage of the services of the Member for Northamptonshire, who had given special attention to the subject, Mr. Albert Pell, Mr. Peter M'Lagan, and various official Members. They took a great deal of evidence, and their Report fully established the necessity, in the interests of agriculture, of legislative action for the purpose of rendering it more easy for the purchaser to ascertain the real value of the article with which he was supplied. In the case of manures, or, as they were more delicately termed, fertilisers, the Committee reported that there was a preponderance of evidence to the effect that a considerable amount of fraudulent dealing (especially in the case of compound manures) existed; that they were sold as containing certain properties which they did not contain; and that there was a system, particularly among the smaller traders, of selling unguaranteed and comparatively worthless articles at an excessive price. With regard to feeding stuffs, the Committee reported that the trade in seed and oil cakes was a field in which the practice of adulteration was particularly prevalent, and that there was a large quantity of articles, more or less impure or adulterated, sold as genuine or pure products, certain ingredients being put into cotton cakes and linseed cakes which were positively injurious. They

were, he believed, generally known in the trade as "buffum"; and even castor-oil seeds, which were very unpleasant to the cattle getting them, were included in buffum. The Bill proposed, in the first place, to place a purchaser in a better position to obtain his remedy, by civil proceedings, in cases in which the fertiliser or feeding stuff was inferior in quality to what he was led or entitled to expect when he purchased it, and did not contain the ingredients it was pretended to contain; and, in the second place, it made certain fraudulent practices the subject of criminal proceedings and penalties. If any person fails, without reasonable excuse, to give the invoice which, under the Act, must be given and was to have effect as a warranty; if the invoice or the description was false in any material particular, to the prejudice of the purchaser; if an article sold for use as food for cattle contained any ingredient deleterious to cattle; or if to any such article had been added any ingredient worthless for feeding purposes and not disclosed at the time of sale, the offending person was made liable on summary conviction to a penalty not exceeding £20 for a first offence, and £50 for any subsequent offence. At the same time, the Board of Agriculture were quite aware that the trade would object to having a Sword of Damocles of this sort always hanging over their heads when they sold their manures or feeding stuffs. It was represented by the traders that civil proceedings were extremely expensive; and that even if they showed they were right, they would be put to very great expense. They, therefore, represented to the Board that civil proceedings under this Act should not be taken except after special investigation by some responsible Body. The Board recognised the validity of the views urged on behalf of the trade, and the Bill, therefore, made a certificate of the Board of Agriculture an essential preliminary to such proceedings, except in cases where they were instituted by the Council of a county or county borough. With regard to machinery, the Bill made it incumbent on County Councils to appoint district agricultural analysts; and buyers of fertilisers or feeding stuffs would be entitled, on payment of a fee, to have their purchases analysed if they considered themselves aggrieved. This

analysis, subject to appeal to a chief analyst to be appointed by the Board of Agriculture, might be made the basis of proceedings either by the person aggrieved, by a County Council, or by any Association—Farmers' Club or Chamber of Agriculture—authorised by the Board in that behalf. The Bill extended to Scotland and Ireland. Speaking generally, the Bill required sellers of goods to do what honest sellers were already doing — namely, to give a guarantee or warranty for what they were selling, and it added criminal liabilities in cases of fraud or of wilful contravention of its requirements. An endeavour had been made to frame it so that, although, on the one hand, it would be effective in minimising the malpractices to which reference had been made, it would, on the other hand, impose no restrictions or obligations which would unduly hamper business, and which would either have the effect of raising the prices of the articles affected to the consumer, or could be easily evaded or disregarded in practice. The machinery was simple, and the Board considered that while the trade would not suffer the consumer would gain very much by this proposed legislation. As he had said, the Bill was in no sense a Party measure. It had been the duty of the present Board to prepare it on the basis of the Report of a Committee which their predecessors appointed, and he trusted that their Lordships would consent to give it a Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Ribblesdale*.)

\***LORD KNUTSFORD** : I do not suppose your Lordships will in any way hesitate to give this Bill a Second Reading. As it has not yet been printed I have only had an opportunity of skimming through its provisions and hearing what the noble Lord has said about it, but it seems to me that its object is good, and I understand that its framework is based upon the evidence taken by the Select Committee, which, of course, is very much in its favour. But I hope the noble Lord in charge of it will allow a little time to elapse before it is considered by the Standing Committee. Of course, I speak without much authority, as none of my late Colleagues are present,

*Lord Ribblesdale*

but I do not imagine the Bill will be opposed at any future stage.

**THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA** (The Earl of Kimberley) : We propose that it should pass the Committee stage in the House on Monday, and be considered by the Grand Committee on Tuesday ; otherwise there would be no chance of passing it now.

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

#### ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.

Returned from the Commons with several of the Amendments agreed to, and one disagreed to, with a Reason : The said Reason to be printed, and to be considered on Monday next. (No. 264.)

#### EDUCATION (SCHOOL ATTENDANCE) (SCOTLAND) BILL [H.L.]—(No. 262.)

Read 2<sup>a</sup> (according to Order), and committed to a Committee of the Whole House on Monday next.

#### CONTAGIOUS DISEASES (ANIMALS) (SWINE FEVER) BILL.—(No. 254.)

Read 3<sup>a</sup> (according to Order), with the Amendments, and passed, and returned to the Commons.

#### BURGH GAS SUPPLY (SCOTLAND) ACT (1876) AMENDMENT BILL.—(No. 226.)

Order of the Day for the Third Reading, read, and discharged.

House adjourned during pleasure : House resumed : The Lord Kensington chosen Speaker in the absence of the Lord Chancellor and the Lords Commissioners.

#### GOVERNMENT OF IRELAND BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and to be read 2<sup>a</sup> on Tuesday next.—(*The Earl Spencer*.) (No. 265.)

House adjourned at ten minutes past One o'clock a.m., to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

*Friday, 1st September 1893.*

QUESTIONS.

ANTI-VACCINATION AT GRAYS, ESSEX.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for the Home Department whether he can state the total number of police employed to keep the peace on the day of the recent distraint for breach of the Vaccination Laws at Grays, Essex; how many were imported from outside the parish, and what was the cost; and is the cost borne by the county, the union, or the parish?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The Chief Constable of Essex informs me that the total number of police of all ranks employed was 28; the number imported from outside the parish was 21; and the total extra cost, which will be borne by the police district of Grays, was 16s. 4d.

MULTIPLE PUBLIC APPOINTMENTS.

DR. KENNY (Dublin, College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. William Turner, Petty Sessions Clerk, Clones, County Monaghan, is frequently employed by landlords in that district as a surveyor and mapper, and that Mr. Turner is also relieving officer of the Clones District; whether he is aware that frequent complaints have been made by persons requiring to see Mr. Turner on Petty Sessions business that they have suffered inconvenience and disappointment in not being able to find him in consequence of his absence on other duties; whether complaints have reached him that, from the same cause, poor persons, requiring Poor Law assistance from Mr. Turner as relieving officer, have suffered hardship by being obliged to do without the required assistance, which in many cases they had travelled long distances to obtain; whether it is in accordance with the Rules of the Public Service that one individual should be permitted to hold the two offices of

Petty Sessions Clerk and relieving officer, and also allowed to do other business unconnected with either office, to the duties of each of which the holder is supposed to devote his entire time; and whether he will cause an inquiry to be made concerning the alleged facts in this case with a view to putting an end to the evils complained of?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): It is a fact, I am informed, that Mr. Turner, Clerk of Petty Sessions, holds also the office of relieving officer, and that he is employed from time to time in the work of surveying, &c. No complaints have been made to me, or to either of the Departments by whom he is immediately employed, of the nature indicated in the second and third paragraphs of the question; but I am having inquiry made in the matter. With regard to the fourth paragraph, a Clerk of Petty Sessions is allowed to engage in other occupations with certain exceptions; he is not debarred from acting as relieving officer.

TILBURY LEVEL CROSSING.

MAJOR RASCH: I beg to ask the President of the Board of Trade whether his attention has been called to the accident at the level crossing at Tilbury, Essex, on Friday last; if he is aware that numerous fatal accidents have occurred at this crossing; and whether he will urge upon the London, Tilbury, and Southend Railway the necessity of taking more effectual measures to insure the safety of the public at this point?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): My attention has been called to the accident referred to by the hon. and gallant Member, and I believe it is not the first that has occurred at that place. The Company inform the Board of Trade that they have long been anxious to get rid of the crossing, and took special powers in their Act of 1891 to do so. Some difficulty has arisen, partly from the opposition of certain owners and occupiers in the district, and partly from the fact that a portion of the land required to carry out the improvements is the subject of litigation. The Company state, however, that they are taking steps which they hope will enable them shortly to carry out the works.

## THE BAHAMAS.

MR. W. JOHNSTON (Belfast, S.): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to an affidavit of Mr. Edmund Cogswell, accountant, of London, which states that it appears by the Votes of the House of Assembly of Bahama Islands, that on 22nd April, 1892, a Member of the said House of Assembly, named Alfred E. Moseley, moved a Resolution suspending for that Sitting the 11th Rule of the House, which prescribes the forms in the case of all Money Grants, in order to take the Second and Third Readings of a Money Grant to Sir A. Shea, Governor of the Colony; whether he is aware that, notwithstanding the distinct terms of this Rule, large sums of money were granted, the said Rule having been suspended for the purpose, to Sir A. Shea in 1891 and again in 1892, ostensibly for Sir A. Shea's expenses in coming to London in 1890 and 1891, whereas Sir A. Shea did not come to England at all in 1890, and only for a short period in 1891; whether he is also aware that under the said Votes sums amounting in the two years to £1,000 or thereabouts have been by the warrant of Sir A. Shea charged to the Public Treasury of the Colony and paid to him, and whether any details of such sums, or as to how they are made up, can be gathered from the said Votes; whether it has been brought to his notice that it is stated in the affidavit, and appears from the Votes, that the grants to Sir A. Shea for repairs to Government House, and for miscellaneous unforeseen and contingent services, have been largely in excess of grants to previous Governors; and whether the Government is prepared to lay upon the Table of the House the correspondence between Sir A. Shea and the Colonial Office on the subject of the cable, and to state the details of the items of which the sum of £32,000, stated to have been expended for the cable, and borrowed on the credit of the Colony, is made up?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): (1) A copy of the affidavit referred to has been communicated to the Secretary of State. (2) In 1891 and 1892 the House of Assembly of the Bahamas unani-

mously passed Resolutions, which were concurred in by the Legislative Council, for the payment to the Governor, Sir Ambrose Shea, of the expenses incurred by him during his absence from the Colony in 1890 and 1891 in his efforts to further the interests of the Colony in connection with the establishment of telegraphic communication. On each of these occasions the 11th Rule of the House of Assembly, which requires such Resolutions to be thrice read and agreed to at three separate Sittings, notice of the Second and Third Readings being given one day previous, was suspended by the unanimous vote of the House, and the Resolutions were read a second and third time at the same Sitting. There was no mention of London in the Resolutions. Sir A. Shea went to Canada in 1890 and to London in 1891.

(3) The Resolutions did not specify the amount to be paid. Under the first of them £297 15s., and under the second £452 10s., were paid to the Governor. The Secretary of State has no information as to the details of these amounts.

(4) The Votes in the Annual Estimates for the repairs and furniture of Government House have been, on an average, higher during the tenure of office of the present Governor than in the time of his immediate predecessor. The Vote for miscellaneous unforeseen and contingent services referred to in the question does not relate especially to the Government House, but to the whole of the works under the charge of the Board of Public Works. (5) £30,000 was raised by loan and paid under contract for the construction and laying of the telegraph cable from Nassau to Florida. Further sums, amounting to £2,816, were expended from the Colonial Revenue in connection with the cable, the details of which can be shown to the hon. Member at the Colonial Office.

MR. W. JOHNSTON: Can the right hon. Gentleman say if the meeting of the Bahamas Assembly was not an irregular one?

MR. S. BUXTON: I believe it was perfectly regular, but if the question is repeated I will inquire further.

## LONDONDERRY BARRACKS.

MR. ROSS (Londonderry): I beg to ask the Secretary of State for War what time has elapsed since it was decided to



make Londonderry the headquarters of a regiment; and when do the authorities intend to commence the necessary extensions to the barracks?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): It was about two years ago that it was decided to make Londonderry the headquarters of the battalion instead of Enniskillen. It is hoped that building operations will commence next year.

#### THE DUKE OF CONNAUGHT'S STEAM LAUNCH.

MR. A. C. MORTON (Peterborough): I beg to ask the Civil Lord of the Admiralty whether he can give the House any information as to the steam launch said to have been given to the Duke of Connaught for his use while Commander of the Army Corps at Portsmouth; whether he can say by what authority such launch was given; whether the authority of Parliament was ever asked or obtained for the expenditure of public money for that purpose; and whether a steam launch is required to carry out the public duties of a Commander of the land forces at Portsmouth?

\*MR. CAMPBELL-BANNERMAN: Perhaps I may be allowed to answer this question. A steam launch has been supplied for the use of the General Officer commanding the Southern District, in order to enable him to visit the numerous forts and posts in his command without delay or difficulty. The necessity for its provision as essential for the efficient performance of the General's public duties had been recognised before the Duke of Connaught was appointed to the command. This launch was provided from funds included in the Army Estimates in the usual way.

#### LUNATICS IN BELFAST ASYLUM.

MR. M'CARTAN (Down, S): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland (1) whether he can state the number of inmates in the Belfast District Lunatic Asylum, and also the limit of accommodation for patients there; (2) what is the number of lunatics in Belfast Workhouse; whether he is aware that the workhouse buildings have to be extended owing to the number of insane inmates; (3) what is the number of lunatics charged to Belfast

District now in Ballymena Workhouse; (4) and whether he will take into consideration the desirability of having a new asylum built on a new site at Belfast for the accommodation of the Belfast lunatics, or the advisability of having the districts of Belfast and County Antrim re-united, and a commodious asylum built at Antrim, where a site of 100 acres has been already secured for the purpose?

MR. J. MORLEY: (1) The total number of inmates in the Belfast District Lunatic Asylum is 594, and of these 368 are chargeable to the City of Belfast. The asylum at the present time has sleeping accommodation for 400 patients according to the scale of space laid down by the Board of Control. There is also day-room accommodation for 300 patients. (2) The number of lunatics at present in the Belfast Workhouse is 492, and the buildings are being extended to accommodate the insane lunatics. (3) One hundred and twelve lunatics, chargeable to the City of Belfast, are now in the Ballymena Workhouse. (4) With regard to the final paragraph, I understand that in May last the Board of Governors of the Belfast District Asylum decided to build a new asylum for the City, but that at their meeting in July the Governors, having regard, I believe, to the large expenditure that would be involved, rescinded the resolution in reference to the building of a new asylum, and decided to appoint a committee to consider the requirements for the accommodation of the lunatics of the City of Belfast, and to report on the best means of providing such accommodation.

MR. W. JOHNSTON: Is not the delay in building an asylum due to the introduction of the Home Rule Bill?

MR. J. MORLEY: I have not heard that.

MR. M'CARTAN: There is no foundation for the statement that the Bill has had any such effect.

MR. WOLFF (Belfast, E.): Has not a proposal been made to build a county asylum so as to keep the city and county lunatics separate? Are not the lunatics in the workhouse lunatics of a very mild kind?

MR. J. MORLEY: I think a county asylum is required. As to the classification of the lunatics, I cannot say.

MR. SEXTON (Kerry, N.): In view of the admission that there are 294 people in the asylum more than there is accommodation for, and many are seeking admission, will the right hon. Gentleman, bearing in mind the great evils arising from the crowding together of all classes of lunatics, take immediate steps to put an end to this serious state of things?

MR. J. MORLEY: I admit it is a serious state of things, and I have called for a special Report.

MR. SEXTON: As to the lunatics in the Belfast workhouses, can they legally be detained there?

MR. J. MORLEY: I will inquire into that.

#### GUNNERY PRACTICE OFF PLYMOUTH.

MR. PICKERSGILL (Bethnal Green, S.E.): I beg to ask the Secretary of State for War whether his attention has been drawn to a statement that recently, as the tender *Sir Richard Grenville* was proceeding to the Cape Mail steamer *Dunottar Castle*, upon the arrival of the latter at Plymouth, two projectiles (220 lb. shot) were fired from Fort Pucklecombe across the tender's bows, and a third under her stern, ricocheting in front of the port bow; and that subsequently, as the *Dunottar Castle* was making for Cawsand Bay, a shot struck the water ahead, and a second fell within 300 yards, creating great confusion among the passengers, and that two other shots followed; and whether any inquiry has been made respecting the truth of these allegations; and, if so, will he state the result of such inquiry?

\*MR. CAMPBELL-BANNERMAN: I have just this moment received the following telegram from the General at Devonport:—

"Report by post to-night. Purport herewith. The practice was perfectly correct and legitimate under the circumstances. The *Dunottar Castle* was in no danger whatever, the shot in question being directed at and falling close to a stationary object more than 500 yards beyond and 500 yards to the right of her as she lay alongside her tender, 2,500 yards from Pucklecombe Fort."

I am receiving further details.

#### MOUNTAIN ASH LOCAL BOARD.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Local Government Board whether he can state the reason for the delay in

holding an inquiry for the purpose of sanctioning the loan applied for by the Mountain Ash Local Board on 18th April last; and when the necessary inquiry is likely to be held?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The application made by the Local Board on the 18th of April last had reference to a scheme in connection with which powers of compulsory land purchase were required, and could not be dealt with until the Provisional Order conferring those powers had been confirmed by Parliament. The confirmation of the Order took place on the 27th July. Arrangements have been made for holding the inquiry on the 14th of this month.

#### TORPEDO BOATS AT THE LATE NAVAL MANŒUVRES.

MR. FORWOOD (Lancashire, Ormskirk): I beg to ask the Secretary to the Admiralty how many torpedo boats, torpedo catchers, and large vessels composed each of the fleets that took part in the late manœuvres; and how many of each class of these vessels are allowed by the umpires to have been struck by torpedoes, captured, or destroyed?

\*THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe): The five fleets that took part in the recent manœuvres included 19 large vessels (including battleships); 24 cruisers; 15 torpedo gunboats, and 24 torpedo boats. Of these, 1 battleship; 9 cruisers; 3 torpedo gunboats, and 26 gunboats were allowed by the umpires to have been put out of action.

#### THE ARMY MEDICAL EXAMINATIONS.

DR. KENNY: I beg to ask the Secretary of State for War whether he has considered the Memorial recently addressed to him by the Scotch Medical Licensing Bodies on the subject of the recent changes in the method of appointing Examiners for the Army Medical Service, which complains of the new arrangements as an unjust monopoly in favour of the English Medical Corporations, and as a measure of centralisation tending to attract students to the London Medical Schools, and tending to aggravate the evils of the cramming system;

whether the objections urged against the system by the Scotch Colleges are in the main identical with those previously urged against it by the Irish Colleges; and whether he has taken any, and, if so, what, steps to alter the new system?

\***MR. CAMPBELL-BANNERMAN**: The Memorial, which is in the main identical with that received from the Irish Colleges, has been under my consideration, and I have replied to it that the new system involves no such monopoly as is apprehended, as I have already explained on the 21st ultimo, in answer to my hon. Friend the Member for Stirlingshire.

**MR. JACKS** (Stirlingshire): Having regard to this very important matter, has the right hon. Gentleman no explanation to offer as to the reason of these extraordinary appointments?

\***MR. CAMPBELL-BANNERMAN**: They do not require explanation and the appointments were not extraordinary.

#### † MATABELE RAIDS IN MASHONALAND.

**MR. GOURLEY** (Sunderland): I beg to ask the Under Secretary of State for Foreign Affairs whether, in the event of a continuance of hostile raids on the part of the Matabele into Mashonaland, it is intended to seek, through the Portuguese Government, the assistance of the Mozambique Company for the purpose of assuring the safety of the British population; and whether all questions between the British and Portuguese Governments relating to the frontier disputes between the British South Africa Company and the Mozambique Company have been finally arbitrated upon in accordance with the Anglo-Portuguese Convention of 11th June, 1891; if not, what measures the Government intend adopting for the purpose of terminating the disputes?

\***THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): I am not aware of any such intention. There have been no arbitrations under the Anglo-Portuguese Convention of June 11, 1891. The frontier, south of the Zambesi, has been surveyed by Major Leverson as British Commissioner, and a line laid down which is being discussed with the Portuguese Government.

#### THE BRITISH EAST AFRICA COMPANY.

**SIR C. W. DILKE** (Gloucester, Forest of Dean): I beg to ask the Under Secretary of State for Foreign Affairs whether, as the Government have informed the House that the British South Africa Company are responsible for the maintenance of peace and order in the territories comprised within their Charter, the Foreign Office will act upon a similar view as regards those of the territories comprised in the Charter of the Imperial British East Africa Company from which the Company has not retired; and whether Her Majesty's Forces are now carrying on operations at any places within the territory still nominally under the control of the Company?

\***SIR E. GREY**: Her Majesty's Government hold the Imperial British East Africa Company responsible for the due execution of the terms of their Charter in the territories from which they have not yet retired. One of Her Majesty's ships was sent to Kismaya on an emergency for the protection of British life and property; but it is understood that the operations are now over, and the reply to the last paragraph of the question is, therefore, in the negative.

#### NAVAL CONSTRUCTION.

**MR. W. ALLAN** (Gateshead): I beg to ask the Secretary to the Admiralty what is the total amount taken in this year's Navy Estimates for construction of new ships; and whether it is more or less than the amount taken in 1892-3; if so, by how much?

\***SIR U. KAY-SHUTTLEWORTH**: The present Board of Admiralty have proposed in their Estimates to spend £2,393,731, on new construction, or £81,110 more than the cash provision for new construction in the Estimates of last year.

**MR. HANBURY** (Preston): Can the right hon. Gentleman say what any other two Navies—say the Russian and German—are having spent on them this year in new construction?

**SIR U. KAY-SHUTTLEWORTH**: I must ask for notice of that question.

#### COLLISIONS AT SEA.

**MR. GIBSON BOWLES** (Lynn Regis): I beg to ask the President of the Board of Trade whether he can state

what Orders in Council relating to the Regulations for preventing collisions at sea have been issued this year, and on what dates; and whether he proposes to issue any further Orders in Council relating to these Regulations; if so, when?

**MR. MUNDELLA:** The only Order in Council relating to the General Regulations for preventing collisions at sea that has been issued this year is that dated the 30th January last. An Order applying to dredgers in the Mersey was issued on 26th August. It is not proposed to submit any further Orders for Her Majesty's approval until after the Rules have been finally considered and reported upon by the Rule of the Road Committee.

#### GIBRALTAR TIME-BALL.

**MR. GIBSON BOWLES:** I beg to ask the Secretary to the Admiralty whether the time-ball at Gibraltar for giving Greenwich time to vessels, in order to enable vessels to rate their chronometers, is now worked?

**\*SIR U. KAY-SHUTTLEWORTH:** The time-ball is not, as the hon. Member supposes, an Admiralty time-signal, nor is the senior naval officer in any way responsible for putting it in operation.

**MR. GIBSON BOWLES:** When the time-ball was used was it not always worked by one of the naval officers in the Fort by the order of the senior naval officer?

**\*SIR U. KAY-SHUTTLEWORTH:** That question should be addressed to the Colonial Authorities.

**MR. GIBSON BOWLES:** But this concerns the Navy. Does the right hon. Gentleman know whether or not it is as I say?

[No answer was given.]

#### THE WEIGHTS AND MEASURES ACT, 1889.

**MR. GOURLEY:** I beg to ask the President of the Board of Trade if his attention has been called to the mode in which the Act for the stamping of glass measures is being conducted by the Northumberland County Council, whereby manufacturers are themselves permitted to stamp the measures, receiving out of a total sum of £1,632 2s. 4d., £595 5s. 2d. for the use of their stamping machinery and labour, whilst an application by the Sunderland County Borough Council for a similar privilege

*Mr. Gibson Bowles*

on behalf of the manufacturers of glass measures, in the County of Durham, has been refused, thus causing a serious pecuniary loss to the Sunderland manufacturers; and will he state what steps the Board of Trade intend adopting for the immediate enforcement of Section 13 of "The Weights and Measures Act, 1889"?

**MR. MUNDELLA:** Yes, Sir; my attention has been called to the circumstances to which my hon. Friend refers. The Board of Trade are in communication upon the subject with the Northumberland County Council, to whom they have pointed out that the repayments referred to appear to be contrary to the provisions of Section 13 of "The Weights and Measures Act, 1889," and have suggested the discontinuance of the practice, which, as far as I am aware, is confined to Northumberland. The matter is still in negotiation with the County Council, but the Board have offered to approve or to make a General Regulation for the future guidance of the County Inspectors.

#### COMMITTALS IN IRELAND.

**MR. ARNOLD-FORSTER (Belfast, W.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can now state how many persons have been committed in Ireland since the 22nd September, 1892, under the Act 34 Edw. III., c. 1?

**MR. J. MORLEY:** I am informed that since August 22, 1892, which is presumably the date intended to be meant by the hon. Gentleman, the number of persons committed to prison in default of providing sureties to be of good behaviour, under the Act 34 Edw. III., c. I, has been 21.

#### BELFAST LOUGH.

**MR. ARNOLD-FORSTER:** I beg to ask the Secretary to the Admiralty whether it is proposed to place a guardship in Belfast Lough?

**\*SIR U. KAY-SHUTTLEWORTH:** It is not proposed to place a guardship in Belfast Lough, but the Coastguard ship of the district has orders to visit Carrickfergus every year for a period, and is now under orders to do so.

#### GRETNNA POST OFFICE.

**MR. MAXWELL (Dumfries-shire):** I beg to ask the Postmaster General whe-



ther he has decided to change the situation of the post office in the parish of Gretna, Dumfries-shire; whether he has received a Petition from the inhabitants protesting against the proposed change; and whether any representation has been made to him in its favour; and, if not, on what grounds he intends to remove the post office to a less central situation, thereby causing inconvenience to the inhabitants of the district?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): I have not come to any such decision. The office is now vacant, and a sub-postmaster has been nominated by the Treasury. I am awaiting an official Report respecting the position of his premises before confirming the nomination.

#### REPORTS ON INDIAN AGRICULTURE.

**MR. A. CROSS** (Glasgow, Cam-lachie): I beg to ask the Under Secretary of State for India whether he intends to lay upon the Table of the House of Commons, and, if so, when, Dr. Voelcker's complete Report as to the best means of improving Indian agriculture, which is now in the hands of the Government of India, and has formed the subject of Circulars to the several local Governments; and whether it is the case that many of Dr. Voelcker's recommendations cover the same ground as those of the Famine Commission of 1880, which have only been partially carried into effect?

**THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. G. RUSSELL, North Beds.): Spare copies of Dr. Voelcker's Report are available at the India Office, and copies will be supplied to the Library of the House for the use of hon. Members interested in the subject. Copies are also to be procured at the usual agents, at the price of 7s. 6d. It does not, therefore, seem necessary to incur the expense of reprinting Dr. Voelcker's bulky volume as a Blue Book. The Report, to a certain extent, covers the same ground as the Report of the Famine Commission. The action taken on the latter is described in the various Parliamentary Returns which have been presented on the subject.

#### RED SEA LIGHTS AND DUES.

**MR. CAYZER** (Barrow-in-Furness): I beg to ask the Under Secretary of State for Foreign Affairs if he will lay upon the Table of the House Copies of all the Correspondence between Her Majesty's Government and the Governments of Turkey and Egypt with reference to the lighting of the Red Sea and the dues in connection therewith?

\***SIR E. GREY**: The correspondence, which is very voluminous and extends over several years, will be examined with a view to the publication of the more important Papers.

#### GIBRALTAR SANITARY BOARD.

**MR. E. H. BAYLEY** (Camberwell N.): I beg to ask the Under Secretary of State for the Colonies whether the Police Magistrate of Gibraltar, who gives effect to the Sanitary Board, has been appointed by the Acting Governor a member of that Board; and whether the appointment, if made, will be cancelled?

**MR. S. BUXTON**: Yes; two members of the Sanitary Board who represent the Civil Government are absent on leave, and the Police Magistrate is temporarily appointed to act in the place of one of them until his return.

#### POOR RELIEF IN THE EAST OF LONDON.

**MR. WOOTTON ISAACSON** (Tower Hamlets, Stepney): I beg to ask the President of the Local Government Board whether he is in possession of any further information respecting the case of Samuel Ely Hobbs, a dock labourer, lately residing at Love Lane, Ratcliff, who died at the Bromley and Stepney Sick Asylum; and whether an additional doctor to the Union, comprising the parishes of Limehouse, Stepney, and Ratcliff, is to be appointed?

\***MR. H. H. FOWLER**: The Local Government Board have not yet received the reply of the Guardians of the Stepney Union to the communication which they addressed to them respecting the case of Ely Hobbs.

#### MISSION TO THE AMEER OF KABUL.

**MR. SNAPE** (Lancashire, S.E., Heywood): I beg to ask the Under Secretary of State for India why the proposed

Mission is being sent to the Ameer of Kabul, especially at an unfavourable period of the year, and when it has been semi-officially stated that it is not due to any sudden development of Afghan politics; and whether he will place upon the Table of the House the instructions under which the Mission will act?

\*MR. G. RUSSELL: The Mission is sent because there are various questions which it is desirable to decide with the Ameer without delay. It would not be consistent with the public interest to publish the instructions to the Mission.

#### NORTH-WEST FRONTIER TROUBLES.

MR. SNAPE: I beg to ask the Under Secretary of State for India whether the statement of the Indian Press is true that there is an intended concentration of troops for the Hunza-Nagar Campaign; if so, why such a campaign in the remote region of the Himalayas is being undertaken; whether extensive damage occurred to the telegraphs and bridges recently constructed in those foreign territories; and will he present to the House a Return showing the total expenditure during the last three years of the various Expeditions beyond the Northern boundaries of India to Gilgit, Chilas, Hunza, and intervening places?

MR. G. RUSSELL: There is no such concentration of troops for a Hunza-Nagar Campaign. According to the latest accounts, Hunza and Nagar are perfectly tranquil. Damage has, it is believed, been done to telegraphs and bridges in the Kashmir territory. The Secretary of State will ask the Government of India to furnish a Return of the expenditure referred to.

#### THE POST OFFICE AND THE NATIONAL TELEPHONE COMPANY.

MR. HARRY FOSTER (Suffolk, Lowestoft): I beg to ask the Postmaster General whether, in the agreement he is now arranging with the National Telephone Company, he is giving that Company any exclusive powers that would confer upon them such a complete monopoly as would enable them to charge such rates as to pay interest on £4,000,000 of capital for which they have no corresponding property, and to repay at least £3,000,000 in the next 18 years for which the public

can receive no consideration whatever? At the same time I will further ask the right hon. Gentleman whether he has any information that would lead him to believe that the statement made by Mr. J. C. Lamb, of the Telegraph Department of the Post Office, before the Select Committee on the Telegraphs Bill of last year, to the effect that the then existing capital of the National Telephone Company was about £4,000,000, while their then existing plant was estimated not to exceed £1,000,000 in 19 years when the property came to be acquired by the Post Office, is correct; and whether the Post Office made a valuation at that time of such plant; and, if so, at what value was it estimated?

MR. A. MORLEY: The reply to the first question is in the negative. As to the second, I have no official information which would enable me to state the facts of the case. No valuation was made by the Post Office.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Postmaster General whether, seeing that he is now negotiating an agreement with the National Telephone Company, and is likely to have further negotiations, he can inform the House whether, of about £2,500,000 of shares in the capital of that Company in June, 1892, when the Select Committee on the Telegraphs Bill made its Report, about £2,000,000 had been created without any property being in existence to represent it; whether his attention has been drawn to the recent Report of the Joint Committee of the Lords and this House, in which they recommend, in Clause 6, that it is desirable in every way to facilitate the use of complete metallic circuits for telephones, and for that end to recommend statutory powers to be granted enabling a private company to enter the streets of a Corporation and lay trenches and wires; and if, instead, he will consider the desirability of placing in the hands of Municipal Authorities the carrying on of any undertaking such as this, which necessitates the opening of streets and interference with the soil and gas and waterpipes?

MR. A. MORLEY: I have no official information as to the accuracy of the statements made in the first paragraph of the question. In answer to paragraphs

*Mr. Snape*

2 and 3, I am aware of the recommendation of the Committee, and both that recommendation and the question of licensing Municipal Authorities to carry on Telegraph Exchanges business will receive the most careful consideration of Her Majesty's Government.

#### THE OPIUM COMMISSION.

MR. CURZON (Lancashire, Southport): I beg to ask the Under Secretary of State for India whether it has been finally decided to throw half the cost of the Opium Commission upon the Indian Exchequer; and, if so, what are the grounds of that decision?

MR. G. RUSSELL: The ground on which it has been decided that half the cost of the Opium Commission shall be borne by Indian Revenues is the great extent to which India's financial position is involved in the inquiry.

#### BRITISH WAR VESSEL AT BANGKOK.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Secretary to the Admiralty what British men-of-war are now at Bangkok, or at the mouth of the Menam?

\*SIR U. KAY-SHUTTLEWORTH: H.M.S. *Swift* is in Siamese waters.

#### THE ROYAL CHARTERED NIGER COMPANY.

1722 MR. SNAPE: I beg to ask the Under Secretary of State for Foreign Affairs whether natives who attempt to cross the territory of the Royal Chartered Niger Company from one region outside the Company's jurisdiction to another have been summarily shot; whether, to prevent competition from Brass River merchants, that Company increased the export duty on palm kernels by 1,100 per cent. (from 2d. per cwt. to 2s.); whether, consequent upon the Charter, the exports of palm oil from that district alone dwindled in two years from 2,500 tons to 1,000 tons per year; whether he will lay upon the Table the Report of Sir Claude Macdonald, who, on the urgent representation of the West African merchants of Liverpool, was sent by the Government to investigate the charges which had been made; and why the Company does not present annual accounts of its revenue and expenditure as provided by the Charter?

\*SIR E. GREY: I have seen these wanton acts of cruelty alleged in the Press, but without any definite evidence in support of them, and while such is not forthcoming I do not think such charges ought to be made or believed. The Company have raised the duty on palm kernels, but I am not aware that they had any reason for so doing beyond the obvious one of increasing their revenue. I have no information as to the diminution of the export of palm oil. Sir C. Macdonald's Report was a confidential document, and cannot be laid. The Company has furnished accounts to the Secretary of State, as provided in the Charter.

MR. SNAPE: May I ask whether there would be a more effective control of the Niger district if, instead of it being under the Department of the Foreign Office, it was under the supervision of the Colonial Office, as were the other settlements on the African coasts?

\*SIR E. GREY: I cannot answer any question as to a proposed change in the Charter of the Company. The question is whether the Company have observed the Rules of the Charter or not. As long as they have done so—and as far as Her Majesty's Government are aware they have done so—we have no right to call the Company to account.

MR. SNAPE: But what about the transfer from the Foreign to the Colonial Office?

SIR E. GREY: I am not prepared to admit affairs would be better administered if such a transfer were made.

#### DEFERRED PENSIONS.

MR. LEASE (Lancashire, N.E., Accrington): I beg to ask the Secretary of State for War what the term of service is which now entitles soldiers, under the Royal Warrant, to a deferred pension upon attaining the age of 50?

\*MR. CAMPBELL-BANNERMAN: Under the Royal Warrant of 1848 soldiers were entitled to be registered for a deferred pension of 4d. if they had served 14 years and had two good conduct badges. This Warrant was cancelled in 1864, and no soldier enlisted after that date is so entitled. I regret that in answering a question by the hon. and gallant Member for Colchester (Captain Naylor-Leyland) on the 25th ultimo, I failed to observe that, in referring to this old Warrant,

he spoke of 12 years as the qualifying period ; it should have been 14. All soldiers of 14 years' service now serving, if invalided under certain conditions, or on reduction of Establishment, are entitled to an immediate pension of 8d. and upwards, according to rank and service.

#### TELEPHONIC COMMUNICATION BETWEEN DUBLIN AND BELFAST.

DR. KENNY : I beg to ask the Postmaster General whether the Post Office has completed the telephonic communication between Belfast and other Northern towns and Dublin, and when will the service be open to the public ; whether any, and, if so, what, steps have been taken to establish telephonic communication between Cork, Waterford, Limerick, Galway, Sligo, and other towns in the South and West of Ireland and Dublin ; and, if no such steps have yet been taken, when action in that direction may be looked for ; whether it is in contemplation to lay a telephonic cable between Ireland and England ; and, if so, when will this service be open to the public ; and what is the total amount appropriated for the development of the telephonic system by the Post Office, and how much of this sum it is proposed to expend in Ireland ?

MR. A. MORLEY : The Post Office is now constructing between Dublin and Belfast a telephone line of sufficient gauge to enable Dublin to communicate not only with the North of Ireland, but with Scotland and England. In the present state of knowledge, an efficient telephone cable between Ireland and England cannot, I fear, be provided ; but a cable has already been laid between Ireland and Scotland, and is available for the use of the public in Belfast and Glasgow ; and, when the main line now being erected between Glasgow and London is completed, both Dublin and Belfast will be able to speak to London. I regret I cannot answer the rest of the hon. Member's question until the negotiations for the acquisition of the Trunk Lines of the National Telephone Company have been brought to a conclusion ?

#### NAVAL OFFICERS' LEAVE.

MR. KNATCHBULL-HUGESSEN : I beg to ask the Secretary to the Admiralty whether all officers have been denied their usual leave after the past

Naval Manœuvres, while it has been granted to the men ; and, if so, what is the reason ?

SIR U. KAY-SHUTTLEWORTH : The usual leave has been granted to officers who served in the Naval Manœuvres. Officers appointed to ships abroad have been allowed seven days' leave. Those who continue serving in ships at home will, in ordinary course, have the annual leave of six weeks, to which no addition will be made.

#### MAJORS IN THE ROYAL MARINES.

COLONEL LOYD (Chatham) : I beg to ask the Secretary to the Admiralty why it is that majors in the Royal Marines have to serve three years in that rank before they can get the 2s. 5d. increase of pay, whereas majors in the Army have to serve only two years to obtain the increase ; and whether Her Majesty's Government will inquire into the matter, with a view to correcting this inequality ?

\*SIR U. KAY-SHUTTLEWORTH : This matter has again been recently brought under the notice of the Board, and is now receiving their consideration.

MR. KNATCHBULL-HUGESSEN : Has there been no exceptional leave granted to the men which was not granted to the officers ?

SIR U. KAY-SHUTTLEWORTH : The question relates only to naval officers. I cannot say as to the men.

MR. KNATCHBULL-HUGESSEN : Why was a distinction drawn ?

\*SIR U. KAY-SHUTTLEWORTH : If the hon. Member had asked about the men I would have ascertained the facts.

#### NEWFOUNDLAND FISHERY QUESTIONS.

MR. A. C. MORTON : I beg to ask the Secretary to the Admiralty whether his attention has been called to the circumstances of the Commander of H.M.S. *Pelican* at St. George's Bay, Newfoundland, in fixing the price of herrings as between the French ships and the inhabitants of St. George's Bay ; and whether he will direct the commanders of ships at Newfoundland not to interfere with the rights of the citizens to fix the price of herrings, or in any other way to interfere with the rights and privileges of British subjects residing in Newfoundland ?

\*SIR U. KAY-SHUTTLEWORTH : Yes, Sir ; I have noticed that this has

*Mr. Campbell-Bannerman*



been the subject of several questions in this House. It has long been the practice for naval officers employed on the coast of Newfoundland, acting also in the capacity of local Magistrates, to consider questions affecting the inhabitants, and settle them according to their interests, and in such a way as to minimise friction between the inhabitants and the French fishermen, who have the right under the Treaty of Utrecht to catch bait for themselves. The arrangements made by the Commander of the *Pelican*, whereby the inhabitants supplied the French with bait, at a price fixed by him, appear to have been devised in the best interests of both parties, and seems not only to have caused no complaint, but to have given satisfaction on both sides, as the inhabitants were glad to sell the bait, and the French to obtain it promptly. Under these circumstances, no action appears to be called for on the part of the Admiralty.

MR. A. C. MORTON : Is it not a fact that the commanders of British ships try other cases than those arising under the Treaty referred to ?

\*SIR U. KAY-SHUTTLEWORTH : They settle a variety of questions which arise in connection with the Newfoundlanders. Newfoundland is a country very sparsely inhabited, and it is the custom of the people on the coast, many of them poor fishermen, to get the commanders of ships to settle disputes for them.

MR. A. C. MORTON : Has the time not arrived when the people of Newfoundland might settle matters of this kind for themselves ?

\*SIR U. KAY-SHUTTLEWORTH : As soon as the people of Newfoundland express a desire for a change, I have no doubt that the matter will receive the careful consideration of Her Majesty's Government.

#### GOVERNMENT CONTRACTORS.

MR. HANBURY (Preston) : I beg to ask the Under Secretary of State for India if he is now able to state whether Messrs. Ross and Co. are on the list of contractors to the India Office, or have furnished supplies to it or to the Government of India during the last five years.

MR. G. RUSSELL : Messrs. Rolin are not, and have never been, on the list of contractors to the India Office, and

have not held any contract or order for the supply of stores for India during the last five years.

#### SHIPS' MAGAZINES.

MR. HANBURY : I beg to ask the Secretary to the Admiralty what alteration, if any, has been made as regards the proximity of the magazines to the boilers in the designs for the vessels now building or to be built for the Navy, as compared with those constructed in recent years ?

SIR U. KAY-SHUTTLEWORTH : The magazines in the *Majestic* and *Magnificent* will be placed before and abaft the machinery and boiler-spaces, and therefore will not be in close proximity to the boilers, as in most of the large battleships recently constructed.

MR. HANBURY : May I ask whether the Admiralty have received any communications with regard to the danger of putting cordite into the magazines of battleships, and whether the attention of the Admiralty has been drawn to a speech delivered by the Inspector General of Ordnance in January last in which he is reported to have said that the Admiralty will "either have to shift their magazines or stick to black powder."

\*SIR U. KAY-SHUTTLEWORTH : I ask for notice of part of that question. I may say, however, that I have not had my attention called to the speech referred to by the hon. Member. I may also mention that in cases where the magazines were close to the boilers special arrangements were made in order to reduce the temperature.

MR. HANBURY : Does that apply to existing ships ?

\*SIR U. KAY-SHUTTLEWORTH : Those arrangements apply to existing ships recently built. With regard to the new ships, entirely new arrangements will be made.

#### THE LAND COMMISSION DEPARTMENT, DUBLIN.

DR. KENNY (Dublin, College Green) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland why, on the reconstruction of the Land Commission Department in Dublin in January, 1892, the Land Commissioners appointed to the office of Registrar a gentleman of less than five years' experience, thereby superseding Mr. Hugh Pollock who held

the position to which he had been appointed in 1886 by the unanimous selection of the Land Commissioners of that time, on account of his special fitness for the office, and who had an official experience of over 21 years; whether Mr. Pollock's successor in the office of Registrar was appointed with a salary of £600 per annum, or £100 per annum more than that enjoyed by Mr. Pollock; and, if so, why; and whether, if no ground was to be found in Mr. Pollock's capacity in the discharge of his duties for appointing a junior officer over his head, and reducing him from the office of Registrar to that of Assistant Registrar, some step will be taken to compensate him for the loss which he has sustained?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): On the 11th April, 1892, a question was addressed to my predecessor on the subject of the appointment referred to, which, as the hon. Gentleman is aware, was made during the term of Office of the late Government upon the re-organisation of the Land Commission under the Act of 1891. The reasons for making the appointment were explained in answer to that question, and I am afraid I can only refer the hon. Gentleman to the reply given on that occasion.

#### THE EMPLOYMENT OF FOREIGNERS AT KEW GARDENS.

**COLONEL WARDE** (Kent, Medway): I beg to ask the First Commissioner of Works how many foreigners are employed in Kew Gardens as gardeners or under gardeners; and whether, in view of the fact that these gardens have always been looked upon as a national school of instruction for higher scientific gardening, he will consider the advisability of employing British subjects only in them?

\***THE FIRST COMMISSIONER OF WORKS** (Mr. SHAW LEFEVRE, Bradford, Central): There are four foreigners employed as gardeners at Kew. They have entered for the purpose of technical training. As large numbers of English gardeners, trained at Kew, find employment abroad, I do not think it would be expedient to prohibit the entry of foreign gardeners in the Royal Gardens.

*Dr. Kenny*

#### WORKS IN THE ISLAND OF LEWIS.

**MR. WEIR** (Ross and Cromarty): I beg to ask the Chancellor of the Exchequer whether his attention has been drawn to the fact that, at the meeting of the Ross and Cromarty County Council, held at Dingwall on the 19th July, it was announced that Lady Matheson had refused to give the necessary guarantee in regard to the sum required in addition to the Government grant for the construction of piers and boat slips in the Island of Lewis; that in consequence of the poverty of the inhabitants it was useless to expect a guarantee from them; and that the meeting resolved to draw the attention of the Government to the case as being worthy of special consideration; and whether the Government will consider the desirability of providing the necessary funds to enable the work to be carried out?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): With regard to certain works for places in the Island of Lewis, the Treasury have made no difficulty about sanctioning the grants applied for by the Scotch Office after their object has been explained to them; but the Government in their operations are bound by the terms of the Western Highlands and Islands Act. According to this Act, if for any reason the estimate proves insufficient for the completion of the work—

“The County Council shall be bound to pay and provide for such deficiency.”

The County Council of Ross and Cromarty, in their meeting on the 19th of July, refused to give this guarantee as regards works in the Island of Lewis. It has been pointed out to them that such a refusal on their part is tantamount to declining to become the “undertakers” of the works, and under the Act those works can only be carried out under the superintendence of the County Council. The County Council should remember that the public money given under the provisions of the Western Highlands and Islands Act was voted by Parliament with special view to the needs of the Lewis, the more remote districts of Scotland, and that if it had not been for the condition of such communities no money would have been voted at all.

## EUROPEANS IN MASHONALAND.

**SIR E. ASHMEAD-BARTLETT :** I beg to ask the Under Secretary of State for the Colonies about what number of Europeans—men, women, and children—are now resident in Mashonaland; what is the distance of the nearest British military force from Mashonaland; and what steps are now being taken by the Government to organise a mobile force for the speedy relief of British subjects in Mashonaland, in case necessity should arise?

**MR. S. BUXTON :** (1) It is estimated that there are about 1,500 adult European men in Mashonaland, of whom 500 are in the Volunteers or Police, and the other 900 liable to military service in the Company's Burgher Force. There are about 50 European women and children in Mashonaland, exclusive of 13 Sisters of Mercy, who would remain at their posts in any event. Most of the women are at Salisbury, which has not been menaced. Several of them have now gone to Beira. All European women are now out of the Matabele country. (2) The nearest British military force is a force of Bechuanaland Mounted Police, which has recently been reinforced, and is now about 280 strong. It is intrenched on the River Macloutsie, which is the boundary claimed by Lo Bengula as that of his country. For Macloutsie is about 50 miles from Tuli, the Company's nearest station in Mashonaland. (3) No special steps have been taken by Her Majesty's Government for the purpose indicated in the third branch of the hon. Member's question for reasons which have been stated to him in the answers I have already given to previous questions; but the British South Africa Company, with the full approval of the Government, are strengthening their forces in Mashonaland; and Mr. Rhodes anticipates that in a short time he will be able to place on the spot, for service, if required, 1,000 effective men.

## PIGEON HOUSE FORT.

**DR. KENNY :** I beg to ask the Secretary of State for War will he refer to the portion of the Report of the Army Sanitary Committee on Dublin Main Drainage Scheme which states that the scheme would be fraught with serious

danger to the health of the garrison at Pigeon House Fort; whether it is to be understood that the Committee have reported that there would be more danger to the health of the garrison of Pigeon House Fort from discharge into Liffey Estuary at a point half-a-mile to east of Fort, as proposed by Corporation scheme, of the clarified and precipitated effluent of the sewage than now exists from the discharge of the crude sewage of the city into the river both above and below the Fort; whether he has received letters, dated 6th July and 28th July, from the Town Clerk of Dublin, on behalf of the Corporation, inquiring on what terms the War Office Authorities were prepared to part with the Pigeon House Fort to the Corporation; whether any reply, other than a formal acknowledgment of their receipt, had been sent to either of these letters; and whether he can state what are the negotiations between the War Office and the Corporation?

**MR. CAMPBELL-BANNERMAN :** The responsibility of advising the Secretary of State for War whether to give or withhold his assent to this scheme, as required by the Act, rested with the Army Sanitary Committee. They reported that one of two alternative modifications in the scheme must be adopted in order that the occupants of Pigeon House Fort may be sufficiently protected as regards health. The Committee made no such comparison as suggested in the second part of the question. The fact that the condition of the Liffey is bad would not justify me in accepting a scheme of which the Army Sanitary Committee expressed the opinion I have quoted. With regard to the latter parts of the question, as I stated yesterday, the letters referred to have been received, and I hope that an answer may very soon be sent.

## THE ROYAL NIGER COMPANY.

**MR. DODD (Essex, S.E., Maldon) :** I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government have received during the present year any Reports or official information with regard to the management by the Royal Niger Company of the African territory under the control of that Company; and, if so, what is the effect of it is; and what is the estimated population and size of the

territory within the Company's control or jurisdiction, and what official in Her Majesty's Service has now any duty of keeping Her Majesty's Government informed as to the condition of that territory or the management of it by the Company, and to whom British subjects not belonging to the Company, who trade or desire to trade with that territory, may look for advice or assistance?

MR. S. BUXTON: I would suggest that this question should be addressed to the Foreign Office.

#### THE UNIFICATION OF LONDON.

MR. BENN (Tower Hamlets, St. George's): I beg to ask the President of the Local Government Board whether he can inform the House what is the state of the proceedings of the Royal Commission on the Unification of London; and whether the Commission is now waiting for evidence or information from either or which of the Municipalities concerned?

\*MR. H. H. FOWLER: The Royal Commission on the Unification of London have taken evidence as to the powers and duties of the Local Authorities in London, and also evidence on behalf of the County Council. The Commission have now adjourned until next month, and they hope, on re-assembling, to take the evidence of the Corporation and the Commissioners of Sewers.

#### RAG IMPORTS AND THE CHOLERA.

MR. MACDONA (Southwark, Rotherhithe): I beg to ask the President of the Local Government Board whether he is aware that there are now lying on the wharves at London Bridge over 300 tons of rags imported from cholera-stricken places in Europe, which the rag merchants of London refuse to touch or take from a fear of introducing cholera into our midst; whether, if this be so, the Local Government Board will immediately issue an Order to have these bales of rags shipped back to the ports from whence they came, or have them at once destroyed by burning; and whether, in consideration of the fact of Asiatic cholera having already been imported into Grimsby, the Local Government Board will forthwith rescind the Order of 9th August and prohibit the further introduction of rags?

*Mr. Dodd*

\*MR. H. H. FOWLER: All possible inquiries have been made by the Local Government Board as to the rags which the hon. Member stated were lying at London Bridge, but no trace of them at all could be found. The hon. Member has, no doubt, put down his question with the assurance that the statements made in it are correct; and, therefore, if the hon. Member will give me privately the information as to where these rags are to be found, the Board will order a full investigation. As to the latter part of the question, I must act on the advice of the competent medical advisers of the Local Government Board, in whom I have perfect confidence. I have also the advice of the Parliamentary Secretary to the Board, my hon. Friend the Member for the Ilkeston Division of Derbyshire. The medical experts concurred, and it was on their advice that the Order was issued. That advice has the full approval of the Parliamentary Secretary to the Board, and I see no reason to alter the Order.

MR. MACDONA: The matter is of great importance to my constituents, and I shall, on an early occasion, call attention to it.

#### ROYAL MINES IN WALES.

MR. PRITCHARD MORGAN (Merthyr Tydvil): I beg to ask the Secretary to the Treasury whether, in the case of the Royal mines known as Moel Ispri and Champion mines, situate near Dolgelly, the Crown has power at Common Law, or otherwise, to prevent the removal of fixed machinery (erected solely for the purpose of extracting gold) from these Royal mines; and, if so, whether, in the interests of the State and the industry, they will exercise such power; whether the Woods and Forests Office intimated to the late lessees, or their representatives, some time since, that the Crown claimed at Common Law (or otherwise under the rights of the Crown) the right to prevent the removal of such machinery; what was the date of the first application by Mr. J. R. Roberts and another, of Dolgelly, gold miners, for a lease to work the above-mentioned mines; what was the date when Mr. J. R. Roberts received intimation that the lease would be granted to him; what was the date of the sale of the machinery referred to; on



what date did the former lease terminate; what was the cause of the delay in granting the lease to Mr. Roberts and another; and will he explain why the Woods and Forests Office, when requested by those interested in the gold mining interest at Dolgelly either to grant a lease before the sale, or to intimate that they would grant a lease to any person who purchased the machinery, did not accede to such request?

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The Crown has not the power to prevent the removal of machinery from the Moel Ispri, Prince of Wales, and Vach Mines. The leases are either determined or in process of surrender, and the late lessees are empowered to dispose of the machinery. When the leases were in existence the Woods and Forests Office intimated to the lessees that the Crown claimed the right to prevent the removal of the machinery. The date of the first application by Mr. T. H. Roberts and Mr. Pritchard Morgan for a lease to work the above-mentioned mines was 29th December, 1892. The application of Mr. T. H. Roberts and Mr. N. T. Williams was dated the 10th June, 1893. The offer of a lease was made to Mr. T. H. Roberts and Mr. N. T. Williams on the 22nd ultimo. The machinery was advertised to be sold on the 24th ultimo. The lease of Moel Ispri Mine was determined on the 20th December, 1892, and an agreement was entered into for the surrender of the other leases as on the 5th of April last, but the formal completion of the deeds of surrender has been delayed. There were several causes for the delay in offering a lease to Messrs. Roberts and Williams. An opportunity was given to those who had provided the machinery to obtain fresh capital for continuing their operation; and, when that failed, considerable delay took place in obtaining replies to the references given by Messrs. Roberts and Williams. The Woods and Forests Office has acted throughout with a desire to save the machinery from being removed; but it could not have given a general undertaking to grant a lease to any persons who might purchase it without knowing their names and qualifications.

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#### VOLUNTEERS AT ALDERSHOT.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War if the Lieutenant General commanding the troops at Aldershot has submitted to headquarters any Report concerning the recent concentration under him of 20,000 Volunteers from all parts of the country; and if Sir Evelyn Wood in any way whatever endorses the denunciation of the drill, the efficiency, and the discipline of the forces by the correspondent of *The Times* and by the author of the essay lately published by the United Service Institution?

\*MR. CAMPBELL-BANNERMAN: No Report on the recent concentration of Volunteers at Aldershot has yet been received from Sir Evelyn Wood.

#### THE GALWAY AND CLIFDEN RAILWAY.

CAPTAIN M'CALMONT: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the remarks recently expressed by His Excellency the Lord Lieutenant, as to the want of railway accommodation in certain parts of Ireland, he will take steps to insure the opening of the light railway from Galway to Clifden, at least as far as Oughterard, before the commencement of the next tourist season?

MR. J. MORLEY: I understand that the possibility of opening any section of this line depends upon the completion of the Corrib Bridge at Galway. The work is being vigorously prosecuted, and as it is obviously in the interest of the Midland Great Western Railway Company to open the Oughterard section as soon as possible, that company will, no doubt, avoid all unnecessary delay in completing the works now in progress.

#### PIGEON HOUSE FORT.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Secretary of State for War whether, in view of the fact that the site of Millbank Prison has been recently offered to the London County Council at a price much under the current value of ground in the neighbourhood, the War Office and Treasury will act similarly in respect to the Pigeon House Fort which the Dublin Corporation desire

to acquire, in order to enable them to improve the sanitary condition of the City; and whether, in this negotiation, due consideration will be given to the circumstance that the Richmond Bridewell, now occupied as a barracks, was taken over by the Government without any compensation being allowed to the Municipality, although it was erected at the expense of the citizens, in whose interests the main drainage scheme is urgently required?

\*MR. CAMPBELL-BANNERMAN: This is an argumentative question which can hardly be replied to in this form. But I would point out to the hon. Gentleman that when Millbank Prison and Richmond Bridewell were surrendered, it was because they were no longer required for their purpose; whereas Pigeon House Fort furnishes accommodation which is absolutely necessary for military purposes, and if it was surrendered compensating accommodation would have to be provided elsewhere.

DR. KENNY: Is it not a fact that many barracks have been taken over in Ireland in recent years without payment of any compensation whatever?

\*MR. CAMPBELL-BANNERMAN: I have no doubt that that has happened. I say, however, that this case differs from all others, because Pigeon House Fort contains buildings which are absolutely necessary for our purposes, and if we surrender it we must erect buildings at great cost elsewhere.

DR. KENNY: If the sewage effluent would be dangerous to Pigeon House Fort, is not the present sewage system also full of danger?

\*MR. CAMPBELL-BANNERMAN: I have answered that question already to-day.

#### POSTMEN AS PAINTERS.

MR. FIELD: I beg to ask the Postmaster General whether the postmen in Reading are employed to paint the letter and pillar boxes during the time in which they are not engaged in the delivery of letters, with the result that the work is thereby taken away from the painters; if he will explain why no answer has been sent to the letters addressed to the local Postmaster and the Postmaster General on the subject; and whether it is intended to continue this practice?

*Mr. Field*

\*MR. A. MORLEY: The answer to the first part of the question is in the affirmative. The letter addressed to me reached me on August 22, and I authorised an answer to be sent on Thursday last.

MR. FIELD: Am I to understand that postmen are expected to be painters? Is that the effect of the right hon. Gentleman's answer?

\*MR. A. MORLEY: The hon. Member must not infer anything of the kind. Many of the men are not fully employed, and they are thus enabled to occupy their spare time.

MR. J. BURNS (Battersea): Am I to understand that they were auxiliary postmen, and the work was given them in the time they were not collecting and delivering letters?

MR. A. MORLEY: I will inquire into that.

MR. CREMER (Shoreditch, Haggerston): Were they receiving Trades Union pay per day?

MR. A. MORLEY: I cannot say.

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#### THE ALDERSHOT COMMAND.

MR. DALZIEL (Kirkcaldy, &c.): I beg to ask the Secretary of State for War whether, in the appointment of the Duke of Connaught to the command at Aldershot, the fact was considered that His Royal Highness was gazetted a General as recently as 1st April in the present year; and whether, in view of the fact that Aldershot is the principal training school at home, it is usual for the command to be held by a General who is likely to be chosen for command in the field?

\*MR. CAMPBELL-BANNERMAN: The command at Aldershot is a Lieutenant's-General's command, but tenable by a General, and therefore the Duke of Connaught was eligible. He was selected, as I have said, on account of his fitness for the duties of the command. The selection of General Officers for command in the field must depend on the circumstances of the emergency when it arises.

MR. DALZIEL: May I ask the right hon. Gentleman whether the plea that seniority entitled the Duke of Connaught to this command is not based on the fact that he was appointed a General on the 1st of April.

\*MR. CAMPBELL-BANNERMAN: No, Sir. He was appointed a General

on the 1st of April in his ordinary turn, and that appointment gave him no increased seniority with regard to other officers. The Duke of Connaught has ever since he has been on the Generals' list been supernumerary to his rank. He has gone up on the list from grade to grade with officers who were above and below him, so that there has been no supersession on his account.

**MR. A. C. MORTON** ; Will the right hon. Gentleman tell the House what are the military qualifications of the Duke of Connaught ?

**\*MR. CAMPBELL-BANNERMAN** : Everybody acquainted with the Army knows them.

**COLONEL MURRAY (Bath)** : With respect to the latter part of the answer, the Duke of Connaught having served with distinction under fire in one campaign, is there any special reason why he should not do so in another ?

**\*MR. CAMPBELL-BANNERMAN** : I have already said that the selection of officers for any future campaign would depend on the circumstances and requirements of that campaign.

**MR. WEIR (Ross and Cromarty)** : Will the Duke of Connaught's leave of absence in his new career be as long as it was at Portsmouth ?

[No answer was given]

**MR. DALZIEL** : May I ask the right hon. Gentleman to give a reply to the second portion of my question, whether it is not usual for the command at Aldershot to be given to a General who is likely to be chosen for command in the field.

**\*MR. CAMPBELL-BANNERMAN** : There is no rule on the subject whatever.

**MR. HANBURY (Preston)** : I beg to ask the Secretary of State for War whether Lord Roberts is one of the one or two General Officers, senior to the Duke of Connaught, who, as he has stated, in one sense might be available for the command at Aldershot, but who are at present discharging duties from which it is not desirable that they should be removed ; and what duties is Lord Roberts now discharging ?

**\*MR. CAMPBELL-BANNERMAN** : No, Sir ; Lord Roberts is not one of the officers to whom I referred. Lord Roberts was not eligible for the Divisional command at Aldershot, because his appointment to it would have been derogatory to

the dignity of the great office which he has for so many years filled with the highest distinction and public advantage. The office of Commander-in-Chief in India is a General's command ; it is perhaps the highest in the Military Service of the Empire, with the sole exception of the office of Commander-in-Chief at home, and it is in some senses even more important than that great position. It would be impossible that an officer who had just quitted the Commander-in-Chief in India should be appointed to the Division at Aldershot, which is a Lieutenant General's command, and which, I may add, is more than any other such command subject, in the interests of the service, to the immediate supervision of the headquarter staff of the Army.

**MR. HANBURY** : Do I understand that, while it is derogatory to the late Commander-in-Chief in India to hold the command at Aldershot, it is not derogatory to offer him the command at Malta or Gibraltar, one or other of which, I believe, has been offered to Lord Roberts ?

**\*MR. CAMPBELL-BANNERMAN** : No, Sir. There are three, and possibly four, appointments, more or less military in their character, which are tenable by an officer who has been Commander-in-Chief in India. There is the Adjutant Generalship, which is the one I reckon as somewhat doubtful ; there is the command in Ireland ; and the Governorships of Gibraltar and Malta. [An hon. MEMBER : Chelsea Hospital.] Chelsea Hospital is a retired position, and is not an active command of the kind I have spoken of. We were fortunately able, although through a most melancholy circumstance, to offer Lord Roberts immediately on his return to this country one of these high commands—namely, the Governorship of Gibraltar, which had become vacant through the lamented death of Sir Lothian Nicholson. At the same time, it was conveyed to Lord Roberts that if he desired to spend a few months of rest in this country the Governorship of Malta would be vacant at the beginning of next year, and that it would be reserved for him if he desired it ; but Lord Roberts declined both of these appointments.

**MR. HANBURY** : Is it not a fact that there are a good deal more than twice as many troops at Aldershot as at Malta or Gibraltar ?

\*MR. CAMPBELL-BANNERMAN : The dignity of a command is not to be measured by the number of troops included in it. Each of the two appointments at Malta and Gibraltar is that of the Governorship of a Colony, and is of the very highest dignity and importance. Those Governorships are precisely those which are fitted for an officer who has held so exalted a position as that of Commander-in-Chief in India.

MR. DALZIEL : Before this appointment was made, were any steps taken to ascertain whether Lord Roberts was prepared to accept it ?

\*MR. CAMPBELL-BANNERMAN : I believe that at the time Lord Roberts would have been willing to accept the appointment—that is to say, he would have been willing to waive in his own person the considerations to which I have referred. But we have something more to take into account than the personal feelings of an individual ; and I think it will be generally agreed that it was desirable to do nothing in the least degree derogatory to the great position of Commander-in-Chief in India.

#### TELEGRAPH MESSENGERS.

SIR J. FERGUSSON (Manchester, N.E.) : I beg to ask the Postmaster General if he will lay upon the Table a Copy of his Order varying that of his predecessor in regard to the appointment of telegraph messengers to permanent places under the Department ?

\*MR. A. MORLEY : I will send a copy of the Order to the right hon. Gentleman, and if, after considering it, he desires to have it laid on the Table, I will do so.

#### THE PROTECTION OF BRITISH SUBJECTS IN MASHONALAND.

SIR E. ASHMEAD-BARTLETT : I beg to ask the First Lord of the Treasury whether Her Majesty's Government are prepared, in case necessity should arise, to take steps for the protection of British subjects in Mashonaland ?

\*THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : The British South Africa Company under their Charter are responsible for the preservation of peace and order in the territories under their control. Her Majesty Government have obtained information from Mr. Rhodes, through Sir H. Loch, and they have full

confidence in the statement that the Company are willing and able to discharge this duty effectively. Mr. Rhodes anticipates that he can in a short time place on the spot for service, if required, 1,000 men fully armed and mounted. This announcement Her Majesty's Government regard as satisfactory. The question of what shall be done in case of necessity is a hypothetical question relating to a state of things which has not actually arisen, and is not, in the view of the Government, likely to arise. It is, therefore, one which, under the existing circumstances, they must decline to answer. If and when the case does arise the Government will, of course, be ready to announce their decision with regard to it.

MR. T. M. HEALY (Louth, N.) : Is the question in Order ? Has it not been frequently ruled that such questions cannot be put ?

\*MR. SPEAKER : Hypothetical questions are out of Order.

SIR E. ASHMEAD-BARTLETT : In view of the facts that Colonists in Mashonaland are our fellow-subjects, and that they are undoubtedly threatened with raids by the Matabele impis, and questions have been submitted to the Government whether they are prepared to send an armed force for the relief of the Colonists, which questions have not been fairly answered, I submit my question can hardly be said to be hypothetical.

MR. SPEAKER : That statement does not alter the hypothetical character of the question.

COMMANDER BETHELL (York, E.R., Holderness) : Is it not the case that in the last few days Sir Henry Loch has telegraphed to the effect that substantially he has warned the people of Mashonaland and Matabeleland that the Imperial Government consider themselves responsible for their safety ?

MR. S. BUXTON : No, Sir. No such information as that has been given by Sir Henry Loch. What he informed the Company was that, while the Company were entitled to defend themselves, he would not allow an aggressive movement on their part without the assent of Her Majesty's Government.

#### FINANCIAL RELATIONS OF GREAT BRITAIN AND IRELAND.

MR. J. E. REDMOND (Waterford) : I beg to ask the First Lord of the Treas-



sure whether he can now state when the Government propose to issue the Royal Commission on the Financial Relations between England and Ireland which has been promised?

MR. W. E. GLADSTONE: I do not think the time has arrived when an exact date can be fixed for issuing the Commission on the Financial Relations of England and Ireland, but it will probably be proper to issue it early in the coming year.

#### IRISH EVICTED TENANTS.

MR. J. E. REDMOND: I beg to ask the First Lord of the Treasury whether the Government propose to include the question of the evicted tenants in Ireland amongst the subjects upon which legislation will be proposed by them in the Autumn Session?

MR. W. E. GLADSTONE: This is a question which I must ask the hon. Gentleman to defer till Monday, because I do not think it is convenient now to touch questions which will inevitably lead to the raising of others.

#### THE INDIAN BUDGET.

MR. CURZON (Lancashire, Southport): I beg to ask the First Lord of the Treasury whether, considering the late date to which the Session has already been prolonged, and the still later date at which the Indian Budget is likely to be taken, if it is put down before the Adjournment, and considering also the important questions that are likely to be raised in the discussion, he will consider the advisability of postponing it till after the House meets again in November, and then giving two days for the purpose? I understand an appeal from Members on both sides of the House has been addressed to the right hon. Gentleman asking him to give two days to the Indian Budget.

MR. W. E. GLADSTONE: I have heard that an impression prevails that, in view of present and recent circumstances in India, the Indian Budget will require a longer time than usual for discussion, but I have not heard that a postponement till the Autumn Session is desired; and I am of opinion that the subject can be properly proceeded with and treated before the House adjourns. The Government feel it their duty to take that course.

#### THE UNEMPLOYED.

COLONEL HOWARD VINCENT: I beg to ask the First Lord of the Treasury whether, in negatively replying to the representations recently made to him on behalf of the large number of persons in London and elsewhere now without employment, he has considered the state of affairs disclosed by the last number of *The Labour Gazette*, officially published by the Board of Trade, as to the decline in trade, the increase in pauperism, the 20,000 highly skilled artisans unemployed, and the widespread reduction in wages; and if the Government propose to take any steps to mitigate the consequences to the masses of the people?

MR. W. E. GLADSTONE: I cannot help regretting that the hon. and gallant Gentleman has felt it his duty to put the question. It is put under circumstances that naturally belong to one of those fluctuations in the condition of trade which, however unfortunate and lamentable they may be, recur from time to time. Undoubtedly I think that questions of this kind, whatever be the intention of the questioner, have a tendency to produce in the minds of people, or to suggest to the people, that these fluctuations can be corrected by the action of the Executive Government. Anything that contributes to such an impression inflicts an injury upon the labouring population. Every and any suggestion with reference to the improvement of the position of the people, whether in respect to fluctuations in trade or any other matter, is always entitled to and will have our best and most careful consideration; but I believe the facts are not quite correctly apprehended. The decline in trade is not greater now than at previous periods of depression from which there has invariably been a recovery. Although there is a slight increase of pauperism as compared with last year, pauperism is much less in proportion to the population than at any previous period of our history. The Return of the Local Government Board for the year 1892 shows a percentage of 2.5 of the population, as compared with 3 per cent. in 1882, and 4 per cent. or 5 per cent. 20 or 30 years ago. The unemployed among the artisan population are at present about 6 per cent. for the Unions making Returns, but this rate is not specially

high at this moment, and it has fallen pretty steadily since the beginning of the year, when it was 10 per cent., and higher percentages have been known in previous periods of depression.

**COLONEL HOWARD VINCENT:** Is it not proposed to take any steps at all in the matter?

**MR. W. E. GLADSTONE:** I have stated that I am not aware of anything in the present depression of trade which indicates any duty incumbent upon the Government except the duty of considering any proposal or suggestion which may be made, and which has about it the smallest promise of utility.

**MR. J. BURNS:** Will the right hon. Gentleman consider, with the President of the Local Government Board, the desirability of again sending a Circular Letter to all the Local Authorities asking them to give employment to the unemployed on reproductive and useful works, as was done in 1886, 1888, 1890, and 1892 by the late President of the Local Government Board?

**MR. W. E. GLADSTONE:** Yes; I shall be happy to consider that question.

#### GLANDERS IN WIGTON AND SOUTH AYRSHIRE.

**SIR H. MAXWELL (Wigton):** I beg to ask the President of the Board of Agriculture whether he has any information of repeated outbreaks of glanders among horses in the County of Wigton; and whether the disease in each case had been traced to the horses of a certain dealer in South Ayrshire, the Local Authority of which county has repudiated all responsibility in the matter; and whether he will cause stringent inquiry to be made in order to bring to an end such a serious state of affairs?

**\*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden):** I am sorry to say that it is the case that several outbreaks of glanders have occurred in Wigtonshire during the period named in the question. It has been stated by the Wigtonshire County Council that the disease was introduced into that county from Ballantrae in Ayrshire; but I am informed by the Ayrshire County Council that the disease originated in Wigtonshire. I have no authority to determine the question at issue between the two Councils, nor would there, in my

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opinion, be any advantage in my doing so. What is requisite is that both Local Authorities should take active measures against the disease wherever it may appear in their respective counties, and I have no reason to suppose that there is any disinclination on the part of either of them to do so.

**SIR H. MAXWELL:** Will the right hon. Gentleman undertake a stringent inquiry such as I suggest?

**\*MR. H. GARDNER:** The matter is not under the administration of the Board of Agriculture. Under the Glanders Order issued last year, the duty devolves on the Local Authorities to administer the Order, and I see no reason to intervene in the matter.

**SIR H. MAXWELL:** But suppose the Local Authorities fail to do their duty?

**\*MR. H. GARDNER:** If it was reported to me that they failed to do their duty it might be for the Board of Agriculture to intervene; but in the meantime it is for me to hear what the Local Authorities have to say in the matter.

#### SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Ordered, That the proceedings on the Government of Ireland Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House.—(*Mr. W. E. Gladstone.*)

#### ORDERS OF THE DAY.

##### GOVERNMENT OF IRELAND BILL. (No. 448.)

##### THIRD READING. [THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment [30th August] proposed to Question, "That the Bill be now read the third time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Courtney.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate resumed.

**\*MR. JUSTIN M'CARTHY (Longford, N.):** It has been contended by the right hon. Gentleman the Member for Bury that the House of Lords has a right, before passing any measure sent up to it by the House of Commons, to ascertain whe-

ther the feeling of the people generally is in favour of it. I will venture to point out that the only way by which the House of Lords can judge of the feelings of the people is through the voice of the House of Commons, and further that the House of Lords has in itself no right whatever to go behind the House of Commons and seek for a separate declaration of the opinion of the people. It has also been contended by the right hon. Gentleman that if a measure that has been passed into law does not work well, the House of Lords will be asked why they have accepted it without an appeal to the country; but I should like to know where such a novel doctrine in Constitutional history can be found. We have been told that because we have only given 80 days to the discussion of this Bill, the Lords will be entitled to call us idle and lazy men. Nothing could be more ridiculous. We have given the utmost latitude to the Debates in the House. What has occurred is that we have been listening night after night to a reiteration of the same arguments, which have exhausted the time of the House at the expense of certain portions of the Bill which might have been discussed with advantage. I will now turn to the Amendment of the right hon. Gentleman. I should like, if I may use the words of Shakespeare, to "discourse with my philosopher." I think everyone in this House has the highest respect for the opinions and integrity of the right hon. Gentleman the Member for Bodmin (Mr. Courtney), and I need hardly say that he is the philosopher with whom I wish to talk. I sometimes think, however, that he rather overdoes his independence, and I am a little sorry when the effect of his own ability on himself is to impress him with a conviction of infallibility. It is a curious thing how many a worthy man who utterly scorns and scoffs at the doctrine that the Pope in Council can be infallible is yet firmly convinced that he himself is infallible, whether in Council or out of Council. The right hon. Gentleman gave us a policy of his own, or rather he outlined his idea of what ought to be the policy of the English Government in Ireland, and he began with a suggestion which must endear itself to the mind of every Irishman when he commended the policy of Cromwell.

MR. COURTNEY (Cornwall, Bodmin): The hon. Member does not, I think, wish to misrepresent me, and I think he was not here.

MR. J. M'CARTHY: I was.

MR. COURTNEY: Well, then, he misunderstood me. I did not wish to commend the general policy of Cromwell. What I meant was that Cromwell was the first person to assemble the United Parliament of the United Commonwealth.

\*MR. J. M'CARTHY: I accept the right hon. Gentleman's correction, but I wish to say I heard his speech, and I was under the impression that he was commending the general policy of Cromwell. I wonder whether the right hon. Gentleman would recommend that the course which Cromwell followed with a Parliament should be followed to-day. However, what I particularly wished to deal with was the complaint of the right hon. Gentleman as to the manner in which time was spent in discussing this Bill, and the statement that there were several passages of the Bill that were not properly discussed. I suppose that is possible, and I may admit that it is true. But why were not those particular passages discussed? Was it not because the time of this House was so much taken up by the vain and idle repetition of the same arguments and the same charges over and over again that within the limits of human life it became impossible that every important part of this Bill could have proper discussion? Why did not the right hon. Gentleman and his friends make up their minds as to what were the important passages in the Bill, and discuss them instead of spending so much of their time in each repeating over and over again what the other had said? We listened in this House to reiteration night after night of the same arguments and the same charges until it was a positive weariness to hear them, and yet the reiteration was persevered in to the necessary and inevitable exclusion of some portions of the Bill that might have been more searchingly and fully discussed. During some nights in this House it might have been thought that the usual question under discussion and the sole question in which the country had any manner of interest was not whe-

ther the Home Rule Bill should or should not be passed, but whether the right hon. Gentleman the Prime Minister (Mr. W. E. Gladstone) did or did not say something 10 years ago, and whether if he did it was consistent with what he said 10 weeks ago, or whether this, that, or the other right hon. Gentleman did or did not in the whole course of his career make any speech which seemed inconsistent with other speeches he had made. I want to know why time was wasted on such subjects? Then there was started a Debate by quotation. The hon. Member for the Altrincham Division of Cheshire (Mr. C. Disraeli) made a speech the other night to which I listened with very great interest, partly on account of the speech itself, and partly on account of the illustrious name he bears. He introduced several quotations into that speech, and one of them, he told us, was a particularly stale quotation. I should like to know why, if it was stale, he brought it under our attention? The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) has invented a sort of discussion which I may call discussion by scrap-book. He seems to have got a regular treasury of quotations from the speeches and writings of all his political opponents. I was pleased to find that some passages from my own writings were enshrined in that interesting book. I trust that when this controversy is over the right hon. Gentleman will present his collection to the Royal Historical Society or the British Museum. I should be pleased to think that some descendant of mine, studying hereafter that most valuable book, might come upon my name written down, however humbly, in the right hon. Gentleman's roll of honour. But I would suggest that citations of that kind, however interesting, are irrelevant to the essential question the House wanted to discuss. Once I am bound to say the right hon. Gentleman broke away from political citations and burst out unexpectedly, to the joy of all of us, into a perfect anthology of Shakespearian quotation. But even that was hardly so much to the purpose as direct argument on the clauses. There was no time wasted on this side of the House in the discussion of the measure. What we wanted to discuss was whether this was a good Home Rule Bill for Ireland or not, but the utmost patience was shown

by us. We of the Irish Party who, as everyone knows, belong to "a garrulous and impecunious race" certainly restrained our tendency to be garrulous during the whole of these Debates. We left the time to gentlemen opposite, and my complaint is that they did not make good use of it, even for their own purposes. I, for one, would ten thousand times rather have heard arguments about the Bill than statements as to what this man said or that man said. Now I come to the Bill itself. The question I want to direct attention to is a very simple and direct one, and one in regard to which, I hope—nay, I am sure—I speak the unanimous sentiment of the Party to which I have the honour to belong. I want to ask whether this Bill is accepted, or is likely to be accepted, by the Irish Party and the Irish people? Those of us who spoke in the Debate fought strenuously against certain sections and passages of the Bill. We fought them as much as we could, and got as much as we could out of the Government. The question is, whether the Bill as it now stands is a measure which we can accept? Mr. Speaker, I have no hesitation in saying, on behalf of my colleagues—and I am sure for the Irish people—that we accept this Bill with a cordial welcome, and we give our warm and sincere thanks to the great English statesman who has brought it before this House, and who, I hope, will ultimately carry it to a complete success. We have been asked over and over again—"Do you accept this measure as final?" My hon. Friend the Member for Mayo (Mr. Dillon), who addressed the House with so much force and ability in yesterday's Debate, dealt very well with this question of finality. We want to know what is meant by finality? If anyone asks us whether we suppose that the measure is never to be altered or amended in the whole succession of years to come, I say the question in itself is a foolish and a futile question. No measure that ever passed through this Parliament—no measure that ever passed through any Parliament—was framed on such perfect and on such a prophetic knowledge of what was to come in the future as to be in this rigid and pedantic sense absolutely final. Why, Sir, we had a question asked to-night as to the Commission that is to be appointed to

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investigate the financial relations of the three countries. Let us assume that this Bill has been passed, and that the Commission has reported that there are certain changes proper to be made in those financial relations—does anyone say that the fact of those changes being made would prevent this measure being fairly described as a final measure with regard to Home Rule? Suppose that the population of one of the Irish Provinces were to increase much beyond the others, and it became necessary to meet the increase of population by a re-adjustment of representation, does anyone suppose that there would be any difficulty in coming to the Imperial Parliament and obtaining sanction for such an adjustment? In one sense there can be no finality in Parliament, but there is a finality in principle. That is why you can arrange in what path the national work of the people may move. Take the great Reform Bill of 1832. It was about that Reform Bill that the phrase “finality” was first used in politics. It was used by Lord John Russell in a sense, as he afterwards explained, quite different from that which was ascribed to it, and he was promptly named by some of his opponents “Finality Jack!” He never meant finality in the sense in which it is sometimes used in this House, and in the sense which requires us to give a distinct and direct answer as to whether we will never at any future time suggest a single re-arrangement of the details of this measure. Since the Union Ireland has been kept down under one absolutely rigid principle—namely, that she should be governed by this Imperial Parliament, and have no right of control whatever over her own affairs. This measure, when carried, will put an end to that principle, and will set up the principle that Ireland is to look after her own domestic affairs for herself under the supreme control of the Imperial Parliament, and with certain limitations and restrictions, which are most gladly accepted. That, I say, is the principle which is final. I firmly believe that when we once set up this national domestic Parliament for Ireland we shall have found finality in the true sense, and that from that principle there will never hereafter be any deviation. I believe it will be a final settlement, because it will

enable us to work in the most thorough cordiality with the people of Great Britain. They will have no further inclination or impulse to interfere with our affairs. If we go beyond the limitations imposed they will have a definite authority to restrain us; but as long as we keep within those limitations the people of Great Britain will be only too happy to see us working out in our own way our national prosperity. I call it, in the true sense, a final settlement which brings about that agreement. I do not believe, as far as one can look forward to the distant future, that there will ever be the slightest desire on the part of the Irish people to break away from the principle of this great Imperial settlement. The right hon. and learned Member for Bury (Sir H. James) asked last night what would happen if every other division of Great Britain were to ask for separate local government. He asked what would be done if Yorkshire asked for a Home Rule Bill? Well, I think we are supposed to be practical and reasonable men, discussing reasonable possibilities, and not wide and far-reaching speculations. I think that Yorkshire has at present means of local government, and of managing her own affairs to a great extent. I feel sure that if Yorkshire had the Irish Grand Jury system she would make her grievances well heard on the floor of this House. We Irishmen recognise perfectly well the possibility of times coming when other divisions of Great Britain may claim the right to settle their own local affairs. In the meantime, we decline to speculate as to what would happen if Yorkshire did this, Lancashire did that, and the sky fell. I remember that a very good answer was given in this House many years ago by the late Lord Sherbrooke. He was being questioned as to all sorts of dangers and difficulties that might arise if certain things were to happen which he did not think were likely to happen, and he replied in this way. He said—

“The Queen has an undoubted right to make every cobbler in this country a Peer. What would happen if the Queen did this day make every cobbler in the country a Member of the House of Lords?”

Then he answered the question by saying—

“I do not know; nobody knows, and nobody wants to know.”

For myself, I am inclined to give the same sort of answer as to what would happen if Yorkshire set up as an independent State. I do not know; nobody knows, and nobody wants to know. This Bill is now about to pass from this House. It is like the girl in the splendid Greek tragedy; it is to go to its death. We know perfectly well what will happen to it in the House of Lords. But we know it will come back again, and that when it comes back opinion will be a great deal too strong for the House of Lords, and some day or other, and before long, it will kindly and judiciously consent to pass the Bill. Those of us who have been watching this House for long remember how on one occasion all the supporters of the House of Lords in the country were rampant for a whole Session over the action of the Lords. The right hon. Gentleman opposite (Mr. Gladstone) remembers well—for he took a foremost part in the discussion—what happened when the House of Lords threw out the Bill for the repeal of the duty on paper. He remembers how all the supporters of the House of Lords declared that the Peers had done their duty; that they had saved the country from the horror of a cheap newspaper Press, and that they would never fall back from the path of duty they had so nobly taken. Well, what happened? Early in the next Session the House of Lords, with what could scarcely be called a discussion, passed the Bill for the repeal of the Paper Duty. I believe they were well advised then, and I hope they will be well advised now. But for the present we have this Bill as it stands, and, speaking for the Irish Party, we are perfectly willing to accept it. It closes an agitation which has been going on ever since the Act of Union was passed. I should long ago have given up the whole cause of Home Rule if there could have been shown to me that during any year, any month, or any week, since the Union was passed the Irish people had ceased to protest against it. Their protest has gone on from year to year, and from day to day. That protest has been sometimes made by rebellion. The first rebellion was not quite three years after the passing of the Act. Sometimes it has been made by Constitutional agitation, then by rebellion again, then by peaceful

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agitation once more; but from that time up to this, the Irish people have fought resolutely, unflinchingly, and unceasingly against the continuance of the Act of Union. Everyone who has read Irish history knows that during all that time a man was popular in Ireland or was unpopular just in proportion to the strength of his opposition to the Act of Union or to the servility with which he accepted it. Now, is not this long struggle to be closed by the passing of this Home Rule Bill? Is there not to be an end to all this controversy? Have we not obtained in principle what we desire? Why, then, should we want to rake the whole question up again, and to destroy the benefit we have, after so much trial and struggle, at last obtained? Many Members of this House will remember that Grattan, in the first speech he made in what is usually called Grattan's Parliament, said he had now to address a free people, and that ages had passed away since the Irish people could be addressed by that noble name! And what was the Assembly which he considered constituted the Irish a free people? It was a Parliament not nearly as liberal in its gift to the people of the management of their own affairs as the Parliament we are now asked to set up. Why, then, should we not accept this Bill as a final settlement? How could we avoid accepting it? We have the authority given by Grattan on so solemn an occasion. Mr. Speaker, I venture to say from my heart, and from my conscience, speaking for my Party and for my country, that we do accept it. As I said before, we give our most earnest and heartfelt thanks to the great and patriotic statesman who brought in this Bill and who is passing it through this House. We recognise the fact that he is the first great English statesman who ever risked power and popularity for the sake of doing justice to Ireland. We thank him for that; we thank those Members of the English Parliament and those of the English people, and of the people of Scotland and Wales, who have given him such noble and persevering support. We take the Bill at his hands, and we are glad and proud that it is at his hands we have to take it.

MR. J. CHAMBERLAIN (Birmingham, W.): I do not think that the earlier part of the speech of the hon.

Member in this high controversy was altogether worthy of his reputation. It was chiefly occupied with some criticisms, which I will venture to call scrappy, of certain details of the speeches of my right hon. Friends the Member for Bury (Sir H. James) and the Member for Bodmin (Mr. Courtney). The hon. Member took my right hon. and learned Friend the Member for Bury to task because he had indicated his opinion that when a great measure came to the House of Lords, the House of Lords would endeavour to avail itself of the usual means of information, and that the opinion which it was thereby enabled to form of the general desire of the people of the United Kingdom would probably guide its decision. Certainly it seems to me a strange thing that amongst all the complaints against the House of Lords there is now to be added this new one, that it is likely partially to be guided by popular wishes. I think the hon. Member went on to criticise my right hon. Friend beside me (Mr. Courtney), and in the course of his remarks upon what he called "the gag" he certainly brought forward a new argument in favour of that innovation which I hope will be permanently connected with his name. He said that nowadays we can go round the world in 80 days, and he seemed, therefore, to think that it was impossible to contemplate that we should bestow upon any Bill—even upon a Bill which deeply and vitally affected a world-wide Empire—more time than it takes for this pleasure trip and geographical excursion. Then the hon. Member complained of what he was pleased to call the repetition of our arguments. I suppose there must necessarily be a difference of opinion in regard to that. I can only put my individual opinion against his, and say that during the whole time I have sat in this House I have never heard a great Debate conducted with so much relevancy and so little repetition. I can understand that the arguments which to us were fresh palled upon hon. Gentlemen opposite, who were only too anxious to get to the conclusion of the measure as quickly as possible. Then the hon. Member complained of what he was pleased to call "discussion by scrap," and he referred to myself as an offender. Well, if I have been an offender, no man in this House has been

a greater victim, for my speeches have supplied Ministers and their supporters with ten times the number of quotations they have taken from any other source. I do not complain of that. I have sometimes complained of the unfairness with which those quotations were detached from the context; but if these quotations fairly represent the opinions at any time expressed, either by myself or anybody else, I really cannot see why they are not germane to our discussions. It is quite true, as the hon. Member says, that I have, for a long time past, read with the greatest interest everything he and his Colleagues—or nearly everything he and his principal Colleagues—have said in reference to Irish questions; that I have quoted many of these utterances, and that now I think it fair, and right, and extremely instructive to contrast them with the present schemes and present position of hon. Gentlemen. Sir, I do not see how that can be matter of blame, or how anybody can deny that such quotations, properly used, are likely to aid us in coming to a just conclusion. I pass, Sir, to what, after all, was the more important part of the speech of the hon. Member, and I think it will be generally admitted that there is a certain fitness in the selection which has been made of him to represent the Party with which he is connected at the close of the Debate. I do not refer to his titular position as Leader of that Party, but the hon. Member has been longer in this House than any other Member of that Party. [Colonel NOLAN: No!] I think that my hon. and gallant Friend who contradicts me does not belong to that Party. The hon. Member has been, as I have said, a long time in this House, and I am sure I pay him no empty compliment in saying that during that time he has gained the good-will and sympathy of men in all parts of it. Therefore it was natural that he should be selected, and also because of his character. On the present occasion it is, no doubt, felt that it is desirable to conciliate the British people, and the hon. Member is the man to do it. If it had been desired to bully or to threaten the English people—well, I suppose the Member for Cork City (Mr. W. O'Brien) or the Member for Louth (Mr. T. M. Healy) would have offered himself. I do not wonder at a certain tone of

triumph in the speech which the hon. Member has just delivered. He has seen many vicissitudes during his long service in this House. I will undertake to say that in the earlier period of it nothing whatever would have seemed to him to be more improbable than that any Prime Minister—and, above all, this Prime Minister—should bring forward a Bill for giving Home Rule to Ireland. Therefore his tribute of gratitude and praise to the Prime Minister was called for, was graceful, and was well-deserved. The hon. Member addressed himself to what, after all, is one of the most important questions which can be dealt with by the House at this stage of our proceedings. He said—"We are asked whether this Bill is a final settlement," and he answered the question by saying that he accepted it with a cordial welcome. He went further, and said that if by "finality" you meant finality in no pedantic sense—finality of principle—he and his friends would in that sense accept the Bill. It is quite unnecessary for him to protest against any attempt, for none has been made, to fasten upon him any finality which would preclude slight alterations in this Bill such as those he refers to. But we also want to know whether in principle this Bill is to be finally accepted; whether the restrictions imposed upon the Irish Parliament, restrictions which have been grievously complained of by hon. Gentlemen opposite, are accepted by them with the determination that if hereafter in Ireland they should be assailed all the influence they can bring to bear shall be brought in order to maintain them in their present form? We want to know whether the supremacy of Parliament, about which we heard so much, is accepted as finally representing the relations which are to obtain between this Parliament and the Parliament of Ireland? These are questions to which we expect an answer, and I will not say the answer of the hon. Gentleman opposite was altogether satisfactory. I will frankly admit in that respect he went a long way. And, Sir, I am not going to question the sincerity of the hon. Member. So far as he speaks for himself I accept every word that he has said. But I cannot forget that on a similar occasion, and in a similar Debate, another Leader—and I may say, without any derogation of the qualities of the

hon. Member opposite, a greater Leader than he—stood up in his place and told this House in very similar words that he and his Party welcomed the Bill that was then before the House, and accepted it as a full and complete settlement of the demands of Ireland. And I cannot forget also that in a few years afterwards that same Leader publicly declared that that statement of his in this House had only been made after a meeting of the Party at which they had agreed with him that the Bill of which he spoke was to be regarded as a Parliamentary bid—and was to be accepted *pro tanto* for what it was worth. I will not insult the hon. Member by even suspecting that a similar meeting may have been held before the Debate to-night. No; I will take it that he speaks for himself; and that he speaks for some, at any rate, of his friends around him. [Several hon. MEMBERS: For all.] I have said as much as I can say—he speaks, at all events, for some of his friends; but I say that he cannot speak for those who are to come after him. [An hon. MEMBER: Can you?] What is the sense of that interruption? I say the hon. Member cannot speak for those who will come after him; and in dealing with this, which is a national settlement, we have to deal not with the men of to-day, but with the generations for all time to come. Well now, Sir, it is not unnatural that at this stage of the Bill more than one Member should have thought it necessary to take some kind of retrospect of our proceedings, and endeavour to form some sort of estimate of the position which we have reached. Mr. Speaker, we are parting with a Bill which has occupied us long, and which has produced many interesting and some very exciting discussions. I know it is the opinion of some hon. Members that we have been wasting our time. That is the opinion of the Home Secretary—I do not see him in his place. That is evidently the opinion which he entertains, and he expressed it at a meeting held, I think, last May. The opinion of the Home Secretary is extremely simple. It is that a Government, however small the majority by which it is supported, however important the measure or series of measures it introduces in this House, is entitled, by its own mere motion, of its own sweet will and pleasure, to decide

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how long those measures should be debated; and if the Opposition does not agree with it the Opposition is to be punished by the gag, by the guillotine, and by All-night Sittings and Autumn Sessions. Well, I take note of the statement of the Home Secretary, and I beg the House to take note that we, in our opposition to the gag as it has been applied to us, have scrupulously guarded ourselves against any opposition to the Closure as a principle. We have humbly submitted to the Government that this was a Bill so exceptional in its character, so gigantic in its probable results, of such transcendent importance, that it must be treated exceptionally; we have begged of them to have patience with us, and to allow us even what they might think to be extreme consideration. Well, they have not seen their way to accept our applications, and they must take the consequences, because now let it be well understood that there is no Government which can sit on those Benches, and there is no Bill they can propose, that they will not have justification for closing after what they think to be a reasonable time, and without reference to any other opinion. I can conceive the possibility of a Unionist Government seated there that might think the time had come—as we do think—when there should be a review of the proportionate representation and power of Ireland and Great Britain, when there should be a redistribution of seats; and I can conceive that a Bill of that kind, brought in by a Conservative Government, might give rise to a great deal of discussion. On your heads be it if the discussion is unduly shortened. I do not entertain the view of the Home Secretary that our time has been wasted in this discussion, and I look back to see whether we have made any progress in the settlement of this great controversy—whether, at all events, we have been able to bring the issues to a more definite point, to put them more clearly before the people, the ultimate tribunal to which we all appeal, and whether, also, we have been able to throw any light on the consequences which are likely to follow on this legislation. I will ask the House for a minute or two to go back and to consider what was the position of the two great Parties when this question was introduced. I do not think anyone will

say that there was great enthusiasm for Home Rule in the Gladstonian ranks. By far the larger part of the oratory of Gladstonian candidates before the last Election was undoubtedly expended on the promotion and explanation of the Newcastle Programme, and even with all the attractions of that programme, as we know perfectly well, you were unable to obtain a majority in England and Scotland together. Under these circumstances, we may fairly say that this question of Home Rule is not, and never has been, in its true sense, a British policy. It was not even initiated by a British statesman. It was accepted, under circumstances on which I will not now dwell, by my right hon. Friend from Mr. Parnell. It has since been forced through this House by an Irish majority. I say, then, that under these circumstances we may marvel at the influence and power which my right hon. Friend has exercised over his own supporters to induce them to accept this policy, but he cannot call it a British policy. I believe that all that has happened justifies what was said by Mr. Bright—that if this policy had been proposed by any other Englishman or Scotchman it would have been laughed out of the House of Commons. For the Prime Minister this day is a day of great personal victory; but I think it is a victory which some of its greatest admirers will hereafter see reason to deplore. Meanwhile, for myself, and I have no doubt for many others, I may say that while I am as strenuously opposed as ever to his policy, which I believe has struck a deadly blow at the honour and interests of this country, I am filled with admiration—[*A laugh*]—may I not admire the courage, the resolution, the resources, and the eloquence by which he has executed this marvellous *tour de force*, which has reversed all British statesmanship and policy, and has by implication condemned all his own policy up to a very recent time? His influence, and his influence alone, has been powerful enough to secure the acceptance by the Gladstonian Party here and in the country of the principle of Home Rule. My hon. and learned Friend the Attorney General last night quoted against me a speech of mine in which I said that the principle of Home Rule had been discussed for seven years, in order to show that I was inconsistent in say-

ing afterwards that the Bill was not understood before it was introduced into this House. I have never denied that the bare principle of Home Rule has been before the country since 1886, and accepted by the supporters of my right hon. Friend; but what is a great deal more wonderful is this—and it is a point to which the Attorney General did not refer—that the Ministerial Party, which boasts of its independence, has sacrificed the right of private judgment in regard to all the details of the measure, many of which, being of the utmost importance, it has left entirely to the discretion of my right hon. Friend the Prime Minister. There was one Member of that Party who was not satisfied with this secrecy and concealment—I mean the Home Secretary, who protested publicly against it. He got snubbed for his pains. He accepted the snub, and now I have no doubt he has his reward. The Gladstonian Party were pledged at the last Election to vote for the establishment of an Irish Legislature to deal exclusively with Irish affairs. That cannot be disputed. But they accepted that principle subject to conditions of the greatest importance, which were laid down by my right hon. Friend himself. They were that the unity of the Empire should be preserved, that the supremacy of the Imperial Parliament should be maintained unquestioned and unimpaired, and that there should be ample security for the minority in Ireland. Let me say how it strikes us that these conditions have been fulfilled. The unity of the Empire is preserved in name in the Bill; but there is not a military expert in the United Kingdom or out of it who will not tell you that our military strength will be weakened and our naval resources more largely called on in consequence of this measure. I say you cannot appeal to any military authority of eminence, either in this country or on the Continent of Europe, who will not agree with what I say; and with a separate Parliament and a separate Executive in Ireland, is it not perfectly clear that if they have the will they have the power to hamper and embarrass our foreign policy? There are 50 ways in which they could do so under this measure. They might, if they chose, make it very difficult for us to collect war taxation or to enlist troops in Ireland; they might also wink at the

arming of the population. And what have we to rely upon? The only answer given to our fears is that we must rely upon the magnanimity, the generosity, and the continuous goodwill of the Irish Legislature, and at the same time we have given them every inducement to put pressure on us in order that they might secure the removal of the restrictions imposed by this Bill. Then there is the question of the supremacy of the Imperial Parliament. That supremacy was to be maintained intact and unimpaired over matters and persons local and Imperial. The Debates have shown that, so far as persons are concerned, the idea of supremacy is entirely abandoned. You will have a separate Executive in Ireland independent altogether of English control, and the Government have refused every Amendment which we have moved with a view to secure an Imperial Executive to carry out the decrees and the decisions of the Imperial Courts. At the same time we have heard again and again views expressed with regard to supremacy by the Representatives of the majority in Ireland which differ from the ideas enunciated on this side of the House. While we maintain that the supremacy ought to be complete, permanent, and easily capable of enforcement, they have warned us that any attempt to enforce it, unless under the most exceptional circumstances, of which their Legislature would be the judge, will be resented by them, and will lead to friction and irritation. I do not hesitate to say that the supremacy and the veto have become in this Bill mere Constitutional figments like the supremacy over self-governing Colonies—a mere Court sword which we shall never be able to draw with any purpose from the scabbard. Lastly, there is the protection of the minority in Ireland. The minority themselves are not satisfied with the protection which you have afforded. We have shown, with regard to every restriction which you have proposed for their advantage, how easily it might be evaded. We have asked you to add to those restrictions and to strengthen those provisions, but you have declined. Here, again, the whole security which we rely on does not lie in these paper safeguards; it lies entirely in your belief, and in such belief as we can summon, in the generosity, the fairness, and the justice

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of hon. Gentlemen opposite—those who will be the Leaders in an Irish Government, and who in the last few years have threatened and denounced the minority, and declared that they would take vengeance whenever they had the opportunity. These, then, are the three conditions which, in our view at any rate, have not been fulfilled. The Gladstonian Party, which relied on them, was bound to be very scrupulous in respect to them, to give the most careful consideration and criticism to the provisions by which they were to be secured. Have they done so? Why, during the whole of these Debates there has hardly been one single Amendment—I am not certain there has been one—that has been moved by a supporter of the Government and carried to a Division. My right hon. Friend the other day complained that we had made speeches in the proportion of more than two to one to the speeches made on behalf of the Government. He might have said much more than that. If he had omitted all the speeches—and very perfunctory speeches they often were—which were forced from the Government by their official position, and had also omitted those made by hon. Gentlemen opposite generally intended to strengthen the Government in resisting any possible concession, he would have found that he could have counted on his two hands the contributions which have been made to these Debates by his own supporters. As far as they were concerned, they might have retired from the House on the day when the Bill was introduced, if only they had been able to leave their proxies in the hands of the Government. We complain of the gag. They think that we are unreasonable. I do not wonder. “They jest at scars who never felt a wound.” They have no reason to dread the gag who are voluntarily silent, and who wear that instrument permanently as an honour and an ornament. It cannot be said that their silence was justified by the original perfection of this measure. Putting aside our Amendments, the changes which the Government have themselves made in their measure are vitally important, and have completely altered its character. The Bill, therefore, was not perfect at the beginning; but not a single improvement that may have been made in it is

due to the enlightened criticism of any Member sitting on the Benches behind the Government. As far as the Gladstonian Party is concerned, you might have passed all the stages in a single day without the alteration of a dot or a comma. I observe, with reference to this matter, that the Home Secretary (Mr. Asquith) made an imaginative addition to current history in the speech to which I have already referred. He said that there were occasions when there was a rising spirit of independence in the Ministerial ranks, when the silent Member began to throb, and there was a fear that he would become articulate, and then, said the Home Secretary, the Government would have been in a tight fix. But, according to the right hon. Gentleman, a saviour appeared in the person of the right hon. Member for West Birmingham, who spoke again and again on these occasions, with the result that all the eloquence which was about to burst forth was at once repressed and the silent Member became himself again. That was a most complimentary view to take of the power of my oratory; but it is not complimentary to the friends of the right hon. Gentleman, for his position is that they whose consciences had been aroused and whose convictions were against the Government voted against their consciences and their convictions in order to show their opposition to the right hon. Member for West Birmingham. Of course, the silence of the Ministerial Party has thrown a heavier duty upon the Opposition. If there was to be any amendment of this Bill it was we who had to make, or at all events to suggest, the improvement. We could place no reliance on the supporters of the Government, who treated this matter from the first not as a great Constitutional change—almost a revolution—but as an ordinary Party Bill; and never, I should think, in the history of Party Bills were the bonds of Party discipline drawn so tight. In these circumstances, we have had to do their work as well as our own, and the whole duty of a deliberative Assembly has been thrown upon the minority. We have had to protect, as far as might be, the interests of the minority in Ireland and the interests of our English majority at home. We have pursued our path, with what success we may

have had, undeterred by the arbitrary conduct of the Government or even by the insults which, with their tacit encouragement, have been flung at us from the Benches below the Gangway opposite (the Irish Benches). I think the country will do us the justice which the Government have denied us. Hon. Members supporting the Government say that our opposition has been factious, and that some of us have been influenced by personal rancour. I appeal to those Members. Cannot you at this last moment be for once fair to your political opponents, and cannot you ascribe to us motives a little less unworthy? Cannot you for once put yourselves in our place and feel as you would feel if for a moment you could share our convictions? We believe that the dearest interests of the country are involved detrimentally in this measure. We believe that obligations of honour which were once recognised as sacred by the Government have now been lightly repudiated. We believe that the greatness of the United Kingdom—that its strength and its influence—will be seriously undermined. We believe that these results will be accompanied by the degradation of our own Parliament, and that they will have to be paid for by an increase of the burdens upon the British taxpayer. Those are our opinions. You may not agree with them; but if we hold them, if we believe, as we sincerely and honestly do, that the policy of the Government is fatal to those interests which we are here to guard, do you think that any opposition could be too strenuous, too prolonged? We say that a fair issue has never been frankly and candidly put before the people. Who was there in 1885 who knew—or if he knew it told his constituents—that the first business to which he would be called in the House of Commons would be Home Rule for Ireland? Who in the Government of 1886 knew it? Not I, for I was told by my right hon. Friend (Mr. W. E. Gladstone) that he was committed to nothing, and that all he wanted was a fair and full inquiry into the Irish demand in order to discover whether it was a practicable one. I wrote to my right hon. Friend in accepting Office and told him that I accepted on the understanding that his purpose was inquiry,

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and that he was not committed to anything.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): What I said was that the Government was not committed. I did not speak for myself personally.

MR. J. CHAMBERLAIN: I do not want to turn aside from my argument. I only say that in 1886, as a Member of the Government, I had no idea that that Government or that its head was committed to the policy of Home Rule. *[Interruption.]*

MR. W. JOHNSTON (Belfast, S.): Healy interrupts (referring to Mr. T. M. Healy, Member for North Louth).

MR. J. CHAMBERLAIN: Again, in 1892, when that policy was before the country, as far, at all events, as the principle was concerned, who declared that he understood that the Bill was a Bill conceived as this Bill has been conceived? Who could say then that he was going to vote for the interference of the Irish Members in all our affairs, in all the details of our legislative business? Since the Bill was introduced the policy of the Government from day to day has not been known to the House. It may have been known to a few Gentlemen opposite, but it has not been known to the House, and great changes have been sprung upon us when there was not sufficient time left for their discussion. Even now the same policy is being pursued. The Government are not using all their energies to press forward this policy of Home Rule; they are not seeking that mandate from the country which they might have if the country were favourable to them now that it has a full knowledge of the contents of this Bill. No; they are seeing if haply they can extract something from the Newcastle Programme with which they can cloak this Bill, cover it up, and conceal it from the voters at the next Election. We believe that the majority which they have in this House has ceased to exist in the country. We say that when the discussion became dangerous, when the Government thought that the exposure of their policy was having some effect in the country, they proceeded to silence the Representatives of the British majority. If this had been your position—perhaps it will be before long—would



thing as finality. But he would ask what was the alternative policy to that of Her Majesty's Government? Let some responsible Members of the Opposition say what they proposed to substitute for the policy of Her Majesty's Government; many had been anxiously waiting to hear what the alternative was to be. Was it to be a battering-ram to-day and a light railway to-morrow? The noble Lord the Member for Paddington had said there must be some measure of Local Government for Ireland, and that this was a subject which no Government and no Party could afford to shirk. Yet the Opposition did shirk it for six years, when they had the security that any measure carried through this House would pass in another place. Would the Opposition, if they could, enter into some new compact, or would they fall back upon resolute government and the policy of not hesitating to shoot? The policy of Her Majesty's Government was one of conciliation; it was offered by the democracy of England to the Irish nation at the hands of the leading statesman of our age, and for that reason he gave it his cordial support.

LORD F. HAMILTON (Tyrone, N.) should not detain the House for more than a few minutes, and he had the less compunction in rising, as he had occupied very little of the attention of the House during any of the stages of the Bill. He should, however, be wanting in duty to those who returned him to the House if he did not before the Bill was read a third time enter his protest, both in their name and his own, against this measure. They had been for 82 days discussing one quarter of a Bill three-fourths of which had been forced through the House without a word of discussion of any sort or kind whatever. What was the measure? It was a measure which introduced vast Constitutional changes, which bristled with difficulties, and which had been riddled through and through by the arguments of the Opposition during the Committee stage. He could only think of one reason which could excuse the introduction of the Bill, and that was that when the Government introduced it they were aware of the fact that it could not become law. It was a Bill made for show, and not for use. It was a species of article manufactured in Germany, or,

perhaps, after what they heard last night, "manufactured in Devonport" would be a more felicitous expression. This Bill was the outcome of the labour of six years. Surely after such an abnormally prolonged period of gestation they might have expected some measure a little more creditable to those the impress of whose paternity it bore. There were only two clauses in the Bill upon which he should like to say a word. The first was the 9th clause and the other the Second Schedule, which might be regarded as part of a clause. The Irish Members were to be retained, and at that he rejoiced. The Members from Ulster were returned by the constituents to the Imperial Parliament, and not to a species of glorified Vestry in Dublin. The Ulster Members, he supposed, ought to congratulate themselves on the fact that the Prime Minister, in his graciousness, had only partially disfranchised their constituents. Instead of returning 102 Members to this Parliament, Ireland in future would only return 80 Members; but, at the same time, the constituencies in the North of Ireland had been gerrymandered in the most barefaced, though skilful, manner in order to reduce the present most inadequate representation of the Loyalists of Ireland to a still smaller figure. Why should the principle of electoral districts, upon which that House after long deliberation had finally resolved—why should that principle, which was considered best for England, be abandoned in the case of Ireland? The reason was perfectly obvious. It was to reduce the representation of the Loyalists. In the County of Tyrone, for instance, by this Second Schedule, it would mean almost the entire, if not the entire, annihilation of the Loyalist and Unionist representation. Coming to the Financial Clauses, he confessed that, as an Irish Member, it was a matter of most supreme indifference to him whether the financial burdens which were to fall upon England under this Bill were to be heavier than they were at present. Luxuries must be paid for; and if gentlemen chose to buy a pig in a poke, they must pay the price. It would be interesting to see whether the constituents of hon. Gentlemen opposite regarded this matter with the same indifference that the Irish Members did. The hon. Member for North Armagh had

alluded to the attitude of determined hostility which the Ulster Unionists had adopted towards this Bill. There was one Member of the present Government who was an Ulsterman by birth, and he regretted to say that the only contribution he made to this difficult part of the subject was a sneer at the Unionist representation of his native Province. The other night there was a Debate on absentee landlords. He (Lord F. Hamilton) confessed he had very little sympathy with absentees of any sort. He regretted the Chancellor of the Duchy (Mr. Bryce) was not in his place, and he would suggest to that right hon. Gentleman that it would be a most interesting, instructive, and novel experience for him to re-visit his native Province during the Recess. He could address meetings in Belfast and Derry, and ascertain how far Ulstermen coincided and believed in the views he himself expressed. Possibly it might fail to be an altogether agreeable experience to the principal performer. Much capital had been made out of the mysterious Memorial which was said to be signed by 3,500 Presbyterians, who were in favour of the policy advocated by the Prime Minister. The names of the signatories to this Memorial up to the present had been enshrouded in the darkest mystery, and the Unionists were a little sceptical as to the genuineness of the signatures. Assuming, however, that this number of 3,500 was correct; there were 500,000 Presbyterians in Ireland, so that the Prime Minister would actually have succeeded in convincing very nearly  $\frac{3}{4}$  per cent. of the total of the Presbyterians in Ireland—a most magnificent and convincing demonstration of opinion! It was, perhaps, natural that there should exist a certain lack of sympathy between the Unionists of Ulster and the occupants of the Government Bench. The Ulster Protestant, and especially the Ulster Presbyterian, was a man of few words. He was essentially and pre-eminently a man of action. It was natural there should be this lack of sympathy between men, on the one hand, who were practical and men of action; and, on the other hand, of men who were nothing if not theorists. But though this lack of sympathy might exist, he confessed the Protestants of Ulster had not received

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fair play in this matter. During the whole course of these Debates no more extraordinary argument had been put forward than that with which the Chancellor of the Duchy met the Amendment of the hon. Member for Leeds the other night. The right hon. Gentleman said that there was no particular force in endeavouring to meet a difficulty of one kind while leaving it open to the Irish Legislature to obtain the same ends by other means. In other words, the present measure opened the door to so many evils that it was no use guarding against any particular one. As well might a man decline to take any precautions against the inroads of cholera on the ground that there were so many other diseases to which human beings were liable that it was absolutely absurd to single one special disease out. Every one of them thought that Bill a dead Bill. They had been sitting round a corpse for the last few weeks, and it would be difficult to imagine a duller wake than they had had. Everyone who lived in Ireland knew that the Land Question was the very root of the whole Irish difficulty, and yet there was no attempt whatever to settle the Land Question in the Bill now before the House. There was one legacy the Government would leave. They had succeeded in fanning into a flame the dying embers of religious and racial animosity. Those who lived in the North of Ireland had hoped those flames had died out, but they saw again the old strong Party feeling aroused, and he feared it would take nearly a generation for those feelings to calm down. This was the only legacy the Government would leave when they had been turned out of Office and when this Administration had passed into the limbo of forgotten things.

MR. R. WALLACE (Edinburgh, E.) said, he hoped the House would not think him wanting in respect for the able and diverting speech which, in common with others, he had listened to with very great interest if he did not pursue the heads of argument which the noble Lord too briefly, for their profit and instruction, placed before the House, except in so far as he might encompass them incidentally in the remarks he might have to make in seeking to address the House, because he felt he had hardly any right to intrude

there not have been superadded to the distress and dislike which you felt for the policy forced upon you some legitimate feeling of irritation, even of indignation, at the un-English and arbitrary treatment meted out to you? Well, we have performed our task to the best of our ability. We have exposed the dangers, the mischief, the absurdities of this Bill. We have shown that it is likely to bring to Ireland ruin and strife, and to Great Britain a weakening of her strength, legislative impotence, and an increase of her burdens. But what effect have we produced upon the country? I look around at the various sections interested in this matter. There is the minority in Ireland, one-third of the population admittedly containing the greater part of the wealth, a very large part of the education, and most of the industrial energy of the country. They believe—they tell you that they believe—that to them this Bill means civil war.

MR. FLYNN (Cork, N.): Does that show their intelligence?

\*MR. SPEAKER: Order, order!

MR. J. CHAMBERLAIN: Their statements, their assurances, their warnings are received, as they were received just now, by the majority in a tone and with a temper which gives but small promise of that magnanimity upon which we are told to rely. They are sneered at; they are told that their sole object is to re-establish Protestant ascendancy. That charge is ridiculous. There is not a shred left of Protestant ascendancy. There is not a desire left to re-establish it. All that these men ask is that under the protection of the Imperial Parliament they shall enjoy equal laws and equal privileges with the rest of Ireland. They ask for nothing more. You refuse it to them, and they fear that in the place of the Protestant ascendancy which is dead there may be raised up another, even a worse ascendancy—an ascendancy of the Roman Catholic priesthood, and an ascendancy of the promoters of the Land League. Well, Sir, any way, as far as they are concerned, their opposition is unshaken. It is as strenuous now as it was when the Bill was introduced. I wonder what is the feeling in the case of the majority of the Irish people—the 3,000,000 for whom we are taking all these risks, and for whom

we are to make all these sacrifices? There is one thing I note as significant, and it is this: that during all the time that has been occupied in the passage of this Bill, during all the time when there was a great agitation against the Bill going on in Great Britain and in Ireland, hardly any public meetings were in favour of the measure. That may be explained; but this, at all events, is certain: that if this Bill were to pass it would provoke bitter disappointment, unless in some way or another it speedily and directly promoted the material prosperity of the country. That is what they are looking for, not merely from sentimental considerations. Sir, whence is this improved prosperity to come from? We know that what is desirable is, if it be possible, to promote the industrial developments of the country, and, in order to promote the industrial developments of the country, I suppose you must have good credit and good security. Is there anyone bold enough to say that the credit and security of Ireland will be better after this Bill has passed than it is now? Where does the confidence of the industrial classes come from? The industrial classes will be in a small minority in the Houses of the Legislature which you are going to set up. They will be wholly at the mercy—I will not say of the ill-will and oppression, but of the ignorance, the economic ignorance—of the agricultural classes, who will be in a great majority. I do not believe, Sir, that there is any chance of this increased prosperity. We are told by hon. Members opposite that under the Bill their finances will be bankrupt. We know that the flood, the stream of British subsidies is to cease the moment the Bill is passed. Well, Sir, I can only say that if there is any truth, any economic truth at all, the last state of Ireland will be worse than the first. I have never heard in the course of these Debates any new sources of prosperity hinted at which are not open to them now, except the protection of Irish industries, which is forbidden by the Bill, and confiscation of the land which hon. Gentlemen opposite repudiate, and which, even if they attempted to carry it into effect, would certainly not give confidence to capital or security in Ireland. But I do not now dwell on the situation in Ireland. That is a matter for Irishmen

to speak about with more authority than I can command. I am interested in Great Britain. I do not know whether I should not say that it is my misfortune to be a pure Englishman. I am afraid that the Prime Minister might think that almost a disqualification. I have regretted in the course of these Debates to hear him in his present position denouncing British policy, British statesmanship, and, of course, by implication his own. I have heard him recapitulating and exaggerating every error, every offence, every crime that was ever committed by the British Government, and at the same time ascribing all the Christian virtues to hon. Members opposite, who are, I firmly believe, answerable for the greater part of the disorder and the misery of the last 10 years in Ireland, and who certainly, during that time, have done nothing to promote its material prosperity. Well, Sir, I cannot agree with the Prime Minister. I do not think that all the sin is on one side. At any rate, for the last 20 years, he, I think, will admit that there has been on the part of the British Government and on the part of the British people an earnest desire to remove all proved grievances in Ireland, and to act generously to the Irish people. Even now I would say that there is nothing which the majority of the Irish people can ask, provided it is not contrary to the Ten Commandments, which they may not obtain from the Imperial Parliament. But there is one thing which the majority in this House, I believe, will never grant, and that is the power, through the Representatives of Ireland, vitally to injure this country, or to wreak their vengeance upon those who in past times have served her well. Now, Sir, I have referred once or twice to the British majority. It is, I think, a significant fact—and I do not think it will lose its importance by repetition—that on all the principal clauses of this Bill, and on all the principal Amendments, a large British majority and an immense English majority have voted against the Government. The Chief Secretary (Mr. J. Morley) the other day referred to this argument, and condemned it as unprecedented and unconstitutional. I hope my right hon. Friend will excuse me if I say that his condemnation is childish and academic. Who first taught us to distinguish

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between a British and an Irish majority? Why, Sir, it was the Prime Minister, who in 1885 asked for a British majority in order that he might be independent of the Irish vote. And again, in 1886, when England was hostile to Home Rule, when Scotland was either hostile or indifferent, the Prime Minister introduced Home Rule. Why? Because, he told us, that an Irish majority demanded it. I say to my right hon. Friend the Chief Secretary that what an Irish majority may demand a British majority may refuse. Does he really think that he can alter the Constitution of Great Britain without the assent of the British nation? Now, Sir, they have themselves to thank, for it is they who have revived this dangerous doctrine of separate majorities, and, Sir, we will meet them on their own ground. We will take up their challenge. We will appeal to the British majority. We will appeal to their good sense, to their Imperial instincts, to save us from being made the laughing-stock of all mankind. I notice that, in spite of the importance and influence of the British majority, wherever in this Bill what may be called British interests come into conflict with what may be called Irish interests, British interests go to the wall. I will take only two illustrations; they will be enough for my purpose. Take the case of the retention of the Irish Members for all purposes. My right hon. Friend spoke as strongly as anyone as to the evils of that course. He spoke of the temptation to intrigue, and the injustice—the apparent injustice—to which it led. But, Sir, in spite of that, after his pledge that he would never agree to it, after his promise that this matter should be determined by a majority of the British people—after that promise—

MR. W. E. GLADSTONE: No, no—the majority in Parliament.

MR. J. CHAMBERLAIN: I beg my right hon. Friend's pardon. I am really very sorry to contradict him. There is nothing whatever in my right hon. Friend's speech about Parliament; it is the voice of Great Britain. I have the quotation, here. I will read it if you wish, but I do not think that is necessary, because I quoted it before. I say that my right hon. Friend pledged himself that Great Britain should have a determining voice, and then a few days, or it



may be a week, before the matter came on, he further pledged himself that the Government would stand by their clause, and would do their best to carry it. In spite of all these pledges and promises, when the time came he threw the whole policy, to which he had previously given his adhesion, to the winds; and he did this distinctly on the ground that what he then called the minor inconvenience was nothing in comparison with the cardinal importance of giving Home Rule to Ireland. Well, Sir, Ireland is to deal with her own affairs uncontrolled by us—practically uncontrolled—at the same time that 80 Irish Members, without British constituencies, without British responsibilities, are to come and take part in every act of British legislation and British taxation. “Ireland for the Irish” is a very good and a very plausible cry, but I think that “England for the English” will be a still better cry. Well then, Sir, there is the question of the financial arrangements. The principle laid down was that there was to be an equitable repartition, and that Ireland was to pay her share according to her taxable capacity. There is a great deal to be said for that, and there is a great deal against it, but at all events it is a fair principle, and one that can be defended. Unfortunately, the application of that principle would have made Ireland bankrupt, and it was a cardinal point with my right hon. Friend to secure to her a surplus of £500,000 a year. Accordingly, in order to secure that surplus for Ireland, England and Scotland are to be sacrificed, and the Irish taxpayer is to pay one-sixth of the sum per head paid by his brother taxpayer in Great Britain. Those are matters that have been brought out clearly in the course of our discussion, and our discussion is not wasted if they have sunk deep into the minds of the British people. Well, Sir, we know what we are going to lose in strength, in honour, and in money. What are we going to gain? We are to gain relief from the Irish controversy. We are to have a final settlement—not in the pedantic sense—we are to have a final settlement of the Irish Question. That was the promise that was made to the electors, and that was the promise made to the House when the Bill was introduced. It is absurd to put it before us now, when in clause after clause of the

Bill we are referred to a future time when this Irish Question will again come up for discussion. But, Sir, even if there were no temporary provisions in this Bill, even if it were in the mind and view of the Government a final settlement, what could we say after the significant and remarkable speech that was made the other day by the hon. Member for Waterford (Mr. J. Redmond), the recollection of which has not faded from our minds, even after the speech—the pacific and conciliatory speech—of the hon. Member for Longford (Mr. J. M‘Carthy). The speech of the hon. Member for Waterford was a remarkable speech, remarkable for the strength of its arguments, and remarkable for the weakness of its conclusions. But in one respect it was distinct and clear enough. The hon. Member said that no man in his senses could now contend that this Bill was a full, complete, or satisfactory settlement of the Irish Question, and he went on to say that on every page the word “provisional” was stamped as though in red ink. You have the assurances of the hon. Member for Longford; you have the statement of the hon. Member for Waterford. You may cheer yourselves with the thought that the hon. Member for Waterford leads in this House, I think, the smallest Party within its walls, but do you doubt—does any sensible man doubt now—that that which the hon. Member has said is felt by the great majority of all the most active elements in Irish agitation—I will go further and say, by almost all of the American-Irish—who are in these matters a not altogether unimportant consideration? Is it not certain that as soon as the fulcrum has been obtained, and as soon as what the Clan-na-Gael call the plant for revolution is in working order, from time to time what the hon. Member has said here will be repeated in louder and louder tones, and that pressure will be brought to bear upon Ministry after Ministry until at last some Ministry is found weak enough or base enough to buy his support? My right hon. Friend referred the other day to foreign experience—I think rather unwisely; but, at any rate, although we do not admit that any analogy can be found in any particular case which serves as an example for our dealings with Ireland, yet we can, at all events, find

in every example which can be quoted one constant, one significant lesson. And it is this—that in every case in which a superior Power has given limited self-government to an inferior it has never been accepted or treated as a final settlement. It has always been the starting point for new demands, and they have gone on, and are going on, and will go on until complete independence is secured. What the Secretary for Scotland said some time ago has never been disproved. There is no half-way house between Home Rule and Separation. For my part, I gravely doubt whether Separation itself would not be better for the country than the Home Rule which is proposed. At any rate, we should know what it is we have to guard against. We could take our own precautions. Home Rule would lull us into security, and the time might come when we should find ourselves unprepared, with an enemy on our flank. The Attorney General said, in the concluding portion of his speech last night, that Home Rule was inevitable—that the principle had been accepted by the Liberal Party, and every principle accepted by the Liberal Party was certain, in the long run, of success. I might answer the hon. and learned Gentleman by saying that a few years ago the Liberal Party pledged itself, even more strenuously than they have ever pledged themselves to Home Rule, to the maintenance of the Union. A section of the Liberal Party has changed its mind. [*Cries of "No, no!"*] It may change it again. In the meantime, I am perfectly ready to admit that the mischief which you have done by introducing this policy is irreparable; that you have made enormously more difficult the government of Ireland; that you have postponed indefinitely the hope of a complete and fuller Union. You have stimulated the idea of a separate nationality, which the greatest popular leaders of our time, whether in this country or abroad, have wisely desired to merge in a wider conception of national existence—men who certainly cannot be accused of being wanting in Liberal faith or Liberal aspirations—men as different in character as, in this country, Mr. Cobden and Mr. Bright, and Mr. John Stuart Mill; in Italy, Count Cavour and Mazzini; in Austria, Kossuth; and in Germany, Bismarck and Karl Blind. These men, who have

been popular leaders, all disapproved of the policy of stimulating the Separatist or Particularist idea of promoting national competition, and separating national interests. The Bill is going, as the hon. Member opposite said, to another place to meet its fate. I am not so certain as he is that we shall ever see it or its like again. Whether we do or do not, I am convinced that the British people will give the policy embodied in it its death-blow on the first occasion. The Bill will be defeated. But the weakness of the Liberal Party, its lack of independence, its readiness to treat the vital interests of the country as though they were mere incidents in the Newcastle Programme or the Plan of Campaign—these things will not be forgotten and will not be forgiven by the British democracy.

\*SIR E. GREY—[*Cries of "Morley!"*]: The impatience of hon. Members will be gratified in the course of the evening; but I ask indulgence meanwhile, because I have not previously spoken on this Bill. Though following the right hon. Gentleman the Member for West Birmingham, I do not intend to complain of want of freshness in his speech, first, because we like his dialectical skill and the dramatic force which invests everything he says with interest; and, secondly, because, I regret to say, I shall be bound to travel over much of the same ground myself. We have recognised the old arguments in the right hon. Gentleman's speech; we have recognised the old omissions. For instance, the right hon. Gentleman has not explained how Home Rule on the principle of the Bill of 1886, and Canadian lines, which he himself advocated, would have satisfied that military opinion which he told us in the early part of his speech would be fatal to this Bill. He has also omitted to explain how that form of Home Rule which he once advocated would have attained, as regards Ireland, that finality the absence of which he alleges in this Bill. If this Bill is not to be final, much less will any similar Bill containing real concessions, which the right hon. Gentleman himself may have advocated, and much less would any sham Bill be so. As to the methods by which the Bill was passed in Committee, and of which the right hon. Gentleman complained, they were in some degree due to the advice of the

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right hon. Member himself. Some time ago, on another occasion, the right hon. Gentleman said—

“The object of all reasonable discussion is to pave the way for the settlement of a question before the country—the object of much of the discussion in the House of Commons is to prevent any settlement from being arrived at.”

Well, in all the discussions on clauses from 1 to 5 in Committee on this Bill, how much was due to the desire of the Opposition to bring about a final settlement in the sense in which those words were used. The object of the Bill is to bestow legislative authority upon Ireland; and if, on the Committee stage, the Opposition had not occupied the time by endeavouring to divert the clauses from a real to a sham object, there would have been ample time to discuss other parts of the Bill. The right hon. Gentleman complains that time was not allowed, and I ask why he wanted more time? He told us some time ago that he wanted time to prove to the country how thoroughly unworkable and bad this Bill was. Has he had time to do that or not? If he has not had time to do it, why is it that the Opposition were continually asking for an Election immediately? Are they impartial judges on this question? Have they not said that every day and every hour spent on the Bill will be brought up against the Government as subtracted from British legislation? Is not that one of the weapons on which they will rely when the General Election comes? Did not Lord Salisbury the other day, in answer to a letter from the unemployed—although he gave no hint as to what measure he desired to see introduced—blame in a vague way the present Government, because by the time occupied over this Bill they prevented important British measures being introduced? Why do they want time? Is it only to discuss this Bill, or is it to use it as a weapon against us in the country? If it is for the latter purpose—as I think they have shown it is—then I say they have no title to be considered impartial judges of the amount of time that should be devoted to the Bill. Their judgment on it is suspect—already their verdict before the country is tainted by the suspicion they have themselves attached to it. I will not say much as to the motives imputed by the right hon. Gentleman to our votes.

He told us that we were a mechanical majority, that we had voted for the Bill without really believing in it. The right hon. Gentleman has used every effort in Committee to defeat the Bill. These efforts have failed, strenuous and energetic as they were, and he is left with only two consolations—one is the prophecy that the Government will be defeated in the country, and the other is that the votes by which he was defeated in the House were worth nothing. That is a matter which each man must settle for himself. One of the main charges against the Government is the 10th clause, dealing with the retention of the Irish Members. The Duke of Devonshire said the other day something which we can understand on this point—that he and his Party had scarcely realised until now how objectionable the retention of the Irish Members was. They have realised it to the extent that if the Bill is to pass the Leader of the Liberal Unionist Party says they must endeavour in the new Parliament to give liberty to the British House of Commons. Why this horror of the retention of the Irish Members? By what standard do you wish to judge the proposal before the House? It is not as if the House had a blank sheet of paper, on which nothing had been written, before it. Then how is this a change for the worse? I presume it is not because the number of the Irish Members in this House is to be reduced, though the votes given in the House on the question of the exact number of the Irish Members were most confusing. If that is not the charge against us it must be that the conduct of Irish Members in the House will be more embarrassing and inconvenient than it is at present? Why more so than now? I understand the Liberal Unionist position to be that it will be worse than it is now, or at least as bad because they say—“When the Bill is passed you will not have that control over Irish affairs—that lever with which to affect the action of the Irish Members in the House of Commons.” Sir, when the control of this country over Ireland was most strict and rigid, and when it extended even to the physical restraint of Irish Members was the presence of those Members so satisfactory, from a Unionist point of view, that

they wish to continue it? The real reason for any feeling in the House or in the country against the retention of the Irish Members is that their presence in this House is considered to have made the conduct of government difficult. But the friction which has taken place has been owing, in the first place, to our legislation as to Ireland having been ill-considered; and, in the second place, to the management of the details of domestic affairs in Ireland having been in the hands of a Central Authority. This Bill removes the causes of that friction which have existed between the Irish Members and the Government. The Opposition complains that under this Bill there will still be left incentives to the Irish Party to operate in a sinister way on the British Government; but if hon. Members opposite had had their way they would have crammed the Bill full of incentives. The fact is, that the whole political energy of Ireland has been devoted in this House to expressing a sense of dissatisfaction with the condition of affairs in that country, and their demands for a Home Rule measure; and in proportion as this Bill provides as it does a great and legitimate channel for that energy, in the same proportion will it lessen the concentrated force and amount of that energy which will be expended in this House. If hon. Members want further argument I would point to the growing tendency in this country—as exemplified in our County Councils and Municipalities—to remove the control of local affairs more and more from this House. I have a further reason why the presence of the Irish Members in this House will not be so objectionable, if this Bill passes, as hon. Members contend that it has been in the past. The objection is not only to the conduct of the Irish Members in this House, but to the solid bulk of the Irish majority. But when this Bill passes you will have a natural cleavage in the Irish Party. You see signs of divisions in it at present, signs which evoke the ridicule of the hon. Member for North Armagh (Colonel Saunderson) and other Unionist Members. But they are healthy signs. The persistently overwhelming majority of the Irish Party in this House on one side has been due to their overmastering passion for Home Rule, and if that pressure were removed, you would find

that the cleavage would no longer be on one side. To sum up, I would say that first of all you reduce the Irish Members; secondly, you diminish the incentive of these Members to embarrass the British Government; thirdly, by the Bill you have provided conditions under which the 80 Irish Members shall give their votes, subject to the same healthy line of cleavage, the same normal perspective, the same attention to other than ulterior objects, as any body of Members who sit for British constituencies. Again, the opponents of the Bill object that under it the Executive in Ireland will be a real Executive. Let us, again, adjust our view by a reference to the present state of things. Our opponents say that the change we propose will be intolerable. But we have their word for it that the present state of things in Ireland is intolerable as regards the Executive. Is there any need of a change in the Executive in Ireland? Dublin Castle is an anachronism. It is an “alien Board of foreign officials.” [*Cries of “Oh!”*] I admit the language is strong, but I cannot altogether withdraw the words, for they are not my own, but the words of the right hon. Member for West Birmingham. Why has the Executive in Ireland been a trouble to this country, and a difficulty to the Government of Ireland? I do not think it has been solely because of the failure on the part of the Executive officers, such as the Magistrates and the Irish Constabulary. I throw no blame on them, for I consider they have never had a fair chance, because they are looked upon in Ireland with jealousy as the officials of an extrinsic and alien Government. An Executive to be useful must be strong. Its acts must sometimes be disagreeable acts. If there is jealousy of the Executive it stands no chance, because every disagreeable act is suspected. You stand no chance with public opinion; your task is for ever uphill; you contend always with those influences whose support and sympathy is the very first essential, not only of an easy, but of a fair performance of duty. A change of Executive is therefore necessary, and that Executive should be attached to the Irish Legislature. The possession of the Executive power will give a sense of responsibility to that body, and will have the same steadying



influence in Ireland which it has upon Parliamentary Oppositions in this country, when they in their turn become the Government of the day. Now, we have got to the real difficulty. The real objection is that the Government we have proposed is a real one; that the Legislature and Executive in Ireland are to be real, with a full sense of responsibility. That is the *gravamen* of the charge against the Government. It is said that the minority will be unfairly treated. I should like to say a few words upon that. There are a few things still to be said on it. It is not the strength of the feeling of hon. Members from Ulster that is in doubt—it is the strength of their arguments. The feeling is strong and genuine, but, after all, it belongs to a minority of the people of Ireland; and when the Government are asked, as the Member for West Birmingham says, to withdraw their Bill because of this feeling of the minority, they cannot do it without proof, full and convincing, that that feeling is justified. Has that proof been given? On this question of religious intolerance, instances have been adduced where, in Protestant districts, a large Catholic minority have failed to get representation; other instances have been given where, with a large Catholic majority, a Protestant minority has had its full share of representation. The one instance wanting is an instance of a Roman Catholic majority altogether excluding a Protestant minority from representation. But supposing that the Ulster people should be, after all, right, in spite of their arguments being weak—supposing there were that off-chance—there are in the Bill such guarantees as can be put into any Bill, and, if these are not effective, no paper guarantees can be effective. But are there no guarantees outside the Bill? There is, first of all, the danger to the Home Rule Parliament of provoking the resentment of Ulster; and after Home Rule is passed, Ulster is physically strong enough—if she has moral right at her back, and the sympathy which it would provoke; moral right given by her own treatment, or by the treatment of her fellow-religionists scattered over Ireland—she is strong enough to make government by the Irish Parliament impossible. I ask hon. Gentlemen in opposite to give the Nationalists credit only for the

lowest motives, and then to say whether these men, whom we all admit to be masters of Parliamentary strategy and political tactics, do not know Ulster's power as well as anyone else? This guarantee will be always present and always effective. The second outside guarantee is the certain resentment of this country if the minority in Ireland are in any way treated unfairly. Well, Sir, I have only been a short time at the Foreign Office, but I have been there long enough to have experience of the resentment which is aroused when there is any supposed ill-treatment of minorities in foreign countries with which Great Britain has no immediate concern. How can it be doubted that that resentment will be swift and sure and strong with respect to the minority in Ireland—if it should be necessary? This, too, has to be remembered: that Ireland will be so near—nay more, she will be in our very midst—that no injustice or intolerance there will escape our notice. On the Ulster question I would say that, in the first place, we are entitled to put before the country that we have no evidence that the danger to Ulster is real, practical, or imminent; and, secondly, that there are all possible guarantees in the Bill, as well as others outside, ever-acting, ever-present, inherent in the circumstances of the case, which it is not in the power of the House, or the Government, or the Bill to weaken or destroy. Then it is said that the Bill will be unworkable. Why? It is not unworkable on paper—far less so than the British Constitution itself, if it were put on paper. But the practice under the Bill is to make it unworkable. That is proved by a simple method. The worst is assumed on both sides, both as regards the Irish Members and the Government, and then the argument proceeds as well enough. The wildest language used by any Irish Member under circumstances of exasperation and despair is taken, and then it is assumed that that language describes what will be the exact letter of procedure in power. But, Sir, I would point out that in every civilised country in the world it is found that Oppositions become moderate in power. Even the noble Lord the Member for Paddington (Lord R. Churchill) was looked upon as an Executive officer of great trust and capacity. But in Ireland, by some per-

versity of nature, they are going to proceed to still wilder excesses contrary to all knowledge of history and human nature! With that assumption the right is claimed to doubt the truth of every word that the Irish Members now say, while these earlier words are to be held true then and now. In a greater or less degree this responsibility can always be relied upon to produce—if they do not exist—qualities of moderation and prudence. Again, it is held that the veto is unworkable. That is proved by attributing to successive British Governments a large amount of jealousy, and a desire to exercise a nagging interference with the Irish Parliament. Sir, the Bill is an act of faith on both sides. The Irish people and the British Government have been brought into touch for the first time; and it requires an act of faith on the one side, as on the other, to accept the Bill. The Government trust that the Irish people will make good use of the powers conferred on them; and the Irish must trust that the restrictions will not be lightly, wantonly, or provokingly used. It has been sought to destroy the Bill by attacking it piecemeal. The restrictions were taken one by one, isolated from the context, and then it was shown that they would break down or be a source of difficulty. Each provision is a part of a whole; and there is no right to suppose that in every case there will be the maximum of folly on the one side, and the minimum of wisdom on the other. They argue as though the one object was to seize on the weakest provision and to break it down, and so to wreck the rest. But it is not a fair assumption to say of a living man that his greatest strength is that of his weakest limb. They argue that because there might be oppression there would be oppression—that because there might be injustice there would be injustice. The Government, however, believe that by this Bill they are giving the Irish people an instrument which they will use for their country's good, and which it will be worth while to use and preserve. They feel a sense of relief in passing the Bill, and they were entitled to take the view that the measure will be accepted as something which Irishmen shall endeavour not to destroy, but to foster and preserve. They

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feel a sense of relief in passing this Bill in regard to the prospects of British legislation, and of the time devoted to Irish affairs from which the British Parliament will be free. It is reasonable to assume that this measure, accepted by one Party and freely granted by the other, is something which both will strengthen, foster, and preserve, instead of trying to destroy. Sir, the Government are accused of waste of time on this Bill, because it must be rejected, first of all in another place, and afterwards in the country. But that is prophecy, and the recital of the speeches of hon. Members opposite during the last 12 months is perfectly strewn with broken prophecies. A few fragments more or less will make little difference. As to what will happen in another place, the prophecy of hon. Members may come true, as it is in the power of their Party to realise it. But where will the Opposition be when the Bill has been rejected? Will they be on the high road to the Local Government Bill for Ireland of last year? I understand them to say that in 1885 there was no alliance between them and the Irish Party. I do not want to press that point. I only say, Sir, that the old system broke down—the action of the Tory Party broke it down, and this Bill takes its place. The Bill introduced in 1886 was worth something—it produced the Tory Local Government Bill of last year. That was not worth much, but it was worth something, considering the quarter from which it came. But if the Bill passes through the House of Commons it will be worth something more, for if it be once passed through the House you cannot go back. Can anyone suppose that the passage of the Bill through the House of Commons will not alter the standard by which future proposals will be judged by the country? I ask the House to turn to the confession of the right hon. Member for West Birmingham. He said that the Bill had done irreparable mischief. It is worth while for hon. Members to remember that, when they console themselves with the action likely to be taken in another place. The passage of this Bill through this House will certainly remove the idea that it is impossible to get a majority of the electors of the United Kingdom in its favour, and it will remove the idea that it is

impossible to get such a Bill through this House, and the removal of those two ideas is worth something. How can you go back even if the Bill were rejected at the next Election? Some hon. Members say that the electors are not interested in Home Rule—that they do not believe it; that they are interested in social and local measures. It is said we would be glad to see the subject dropped, as our friends care more for eight hours for miners, labour questions, and Parish Councils. Supposing that to be so, I ask whether the Opposition expect to get support in the future for 20 years of resolute government? The Union has failed. We have been unable in the past to attract the support of the people of Ireland to that system. This is a paper Constitution, as the Union was, mere dry bones; but we maintain that it has a prospect of life; that it will attract and exercise the energy and capacity of Ireland; that within the four corners of this Bill Irish politics can exist and be active, no longer as a disturbing and adverse element, but filling their proper place, and fulfilling their proper work as a part of the Constitution of these Islands. The Leader of the Opposition admits this problem. He says it is insoluble; but there we differ from him. We differ as to the solution, but that is because we differ as to the nature of the problem. The right hon. Gentleman the Member for Bodmin (Mr. Courtney) believes in the policy of bringing the people of Ireland and the people of England near to one another, a policy which he said Cromwell first conceived. The policy of the right hon. Gentleman takes a long time for its realisation. It has been a long time since Cromwell, and how small the result has been! We have come to the end of our tether with regard to that policy. The late Conservative Government had the best chance of making that policy successful that any British Government ever had. They used British credit so largely as to arouse the susceptibilities—I think unreasonably—of many of the British electors, and they went so far in reducing Irish land rents as to strain the consciences of some Members of the Tory Party. Never was there such a chance of conciliating Ireland to British rule; but it has not led to confidence, gratitude, and content on the part of the

Irish people. In bringing forward this Bill, we find the aspiration of the people of Ireland to resume the thread of Irish self-government; to control her daily business; to be free to meet the most pressing of her needs as they arise—not unnatural. Some would have us believe that the cause of all discontent is to be found in the land difficulty. But we do not find that opinion prevailing amongst the Nationalists. Others urge that we have done so much for Ireland that this aspiration after Home Rule is unreasonable and perverse. They point with triumph to Land Acts and other remedies, of our willingness and capacity to treat Ireland justly and generously. But they forget that some of those remedies came too late. They forget, too, the bitter opposition to those remedies which was only overcome by the pressure of accumulated disorder and wretchedness in Ireland. Again, some of our best intentions, such as the Encumbered Estates Act, produced the most disastrous results. The right hon. Gentleman the Member for Dublin University (Mr. Plunket) said last night that for the past 70 years Ireland has had nothing to complain of. But all we have done has shown, not the measure of our readiness and capacity for governing Ireland, so much as the evidence of Ireland's need and of our delay. The lesson of the past is that in the future Ireland will need constant and unremitting attention, and that concentration and sympathy and knowledge in dealing with her affairs which can only be given by a Local Authority. I would ask the House to consider the difference of the problems in Ireland and in this country. In Ireland you have a tenant's problem. Here you have a labour problem. Here we have congestion of towns and depopulation of country districts. In Ireland they have congestion of country districts and stagnation of towns. The initiative for dealing with the problems is left entirely in the hands of this one Parliament. The Unionists grudge the time we are spending on Irish affairs, and say it should be devoted to the consideration of British affairs. What, then, is the situation? If we attend to the wants of Ireland we keep the British electors waiting. If we leave Ireland alone, we are soon distracted by a state of affairs which plunges us into a discussion of controversial and desperate

measures, which not only occupies our time, but distracts the House of Commons by friction and Party feeling. We are anxious that that should not be the case in the future as it has been in the past. We maintain that our view of the situation and of the possible relations between the two countries is the more just and reasonable. We therefore think the Bill is wise and prudent. We have faith in it. We admit that the opposition to the Bill was a stern reality. In their enthusiasm our opponents frequently forgot their tactics. They would have us believe that they were overcome solely by a love of Office on this Bench and by time-serving behind it. I say that nothing but a faith on our part real and strong as their own opposition would have enabled us to carry this Bill. I have travelled, I am afraid, only over well-worn ground. I cannot pretend to assume for myself that in the performance of the task allotted to me I have contributed any novelty or new force to the arguments in favour of the Bill. But I am glad of this opportunity to say, speaking as an English Member, and looking to the future of this country, that I give my vote for the Third Reading of the Bill, believing in the good results not only of its passing, but of its future working; in the principles on which it is founded, and in the present application of them; and my conviction that what has taken its place as an article of faith in the Liberal Party will endure in the House of Commons and triumph in the country.

COLONEL SAUNDERSON (Armagh, N.): I listened with that interest and attention which is always accorded to the words of the hon. Baronet in defending this Bill. He says he approves of the Bill as it is now presented to the House. How, then, can he have approved of the Bill as introduced? The two Bills are in many points absolutely opposed to each other. I suppose one reason why the hon. Baronet the Under Secretary of State for Foreign Affairs was chosen to speak on this occasion is, perhaps, because in his view, as well as in the view of many others, Ireland will soon become a foreign country. Speaking of Dublin Castle, the hon. Baronet allowed a word to slip from him which rather indicates that that is his view. He referred to Dublin Castle as being alien—

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\*SIR E. GREY: What I said was that the Board of Dublin Castle had always been an alien Board of foreign officials. The words, however, are not mine. I should not have selected them. They are the words of the right hon. Gentleman the Member for West Birmingham.

COLONEL SAUNDERSON: But the hon. Baronet adopted them; and it is a very curious thing that at the present moment the only alien in Dublin Castle is his colleague the Chief Secretary. To one part of the hon. Baronet's speech I listened with satisfaction. That was where he spoke of the guarantees that existed in the future for the Irish minority. Apparently, we have at last persuaded a certain section of the Radical Party, at all events, that the threatened resistance of Ulster is not a sham and a dream. We have at last persuaded hon. Gentlemen opposite that the stand taken by Ulster has not been idly adopted; that it is, in fact, a fixed and unalterable stand taken up by perhaps the most determined section of Her Majesty's subjects. The hon. Baronet spoke of another guarantee which did not convey to my mind any degree of satisfaction. He spoke of the protection of the Irish minority by Imperial assistance. The hon. Baronet is acquainted with Imperial affairs. I ask him, what suffering minority has this country ever protected? I venture to say that the history of Parliament does not recall one; and, therefore, I gain little from allowing my life, liberty, and property to depend on Imperial assistance. The people of Ulster have never come cringing like cowards for the assistance of the British. We have always said that if Britain will let us we can take care of ourselves. Whether Britain allows this or not we intend to do so should necessity arise. I find fault with the hon. Baronet and his colleagues that they base their belief in the success of Home Rule on sunny prophecies as to the effect the Bill will have on the prejudices and even the hatred of the people of Ireland. These prophecies, however, do not warrant hon. Gentlemen opposite in attempting a fundamental change in the Constitution. The Prime Minister is always ready to talk of the happy future for Ireland should this Bill pass. This always reminds me of the triumph of hope over experience. The Government know that



experience is against them. Every right hon. Gentleman opposite knows right well that the experience of past Irish history is directly against the probability that the Home Rule Bill will bring peace, order, and good government to Ireland. The Government, however, found all their anticipations on a sanguine view of the future, though we cannot see that that is any foundation for the hope. The Prime Minister has quoted the experience of foreign countries as to the benefits of Home Rule. But it has always struck me that there is one country and one people which the right hon. Gentleman forgets to mention, and that is the country of England and the English people. The English people are now in the black books of the Prime Minister, and I do not think that recent elections will place them on better terms with the right hon. Gentleman. It seems to me to be a most unparalleled condition of affairs that the Parliament of England is asked by the Prime Minister to accept a policy with assurance because other countries approve of it, while the right hon. Gentleman knows his own people condemn it. But it is said that all will be changed in Ireland. The granting of responsibility to the Land League and the priesthood of Ireland will change everything. There is to be a Parliament of reformed Irishmen. Why should they reform? All the experience of the past shows that the more authority and the more power the Nationalist Party possessed the more they used it to tyrannise and grind down all who dared to oppose them. In that Irish Parliament there will be probably two factions fiercely hating each other—the Land League faction, elected by the priests; and the Fenian Party, led by the hon. Member for Waterford, whose policy the Chancellor of the Exchequer described as Fenian Home Rule.

SIR W. HARCOURT: No.

COLONEL SAUNDERSON: It is so long since the right hon. Gentleman made a speech about Ireland and Home Rule that he actually forgets his own words. I, however, cannot see any prospect that the Irish Parliament will become in the future other than it was before, representing the most merciless, most tyrannical, and the most oppressive tyranny that ever existed in any civilised country. I can conceive a condition of affairs where, if the Irish people were

united and claimed Home Rule with the same united voice as Hungary claimed autonomy, a statesman might say that the only hope for pacifying the country and in seeing it advance would be to grant its request. But is there anything in the condition of the Irish people which would lead any sane man to believe that the granting of autonomy in the case of Ireland will make her a peaceful and happy country? There are two sections in the Irish Party hating each other more than they hated the Loyalists, and that is saying a good deal; a third section will arise which will take the opportunity where it offers to crush the other two. Is there any country so unfit for self-government as Ireland, containing as it does those contending Parties? I venture to say that as one of the outcomes of Home Rule, if we allow the Irish Parliament to settle its differences alone, it will be found that in a short time there will be only one Party. What Party that will be is hard to say, but we all hope to belong to that Party. There appears to be an idea in the mind of the Attorney General that the Ulster people are becoming lukewarm in this fight, and the Prime Minister said that the Irish landlords should keep their eyes open as to the future action of the Ulster tenants. I know the Ulster tenants better than the right hon. Gentleman; and though the Ulster tenants would be glad, naturally enough, to get cheap land, there is one price which they will never pay for the privilege, and that is to place their lives, liberties, and property at the disposal of the men who led the Land League during the last 10 years, supplemented by the action of the Roman Catholic priests. I do not exaggerate in these fears for the future. I will read a very short quotation from a speech made by the hon. Member for Waterford. The hon. Member for Waterford invariably states what he believes to be true, even though it militates against himself. I entirely disapprove of the policy of the hon. Gentleman; but I make that concession to his political conduct. At a meeting in Dublin on August 10 one of the inducements held out by the hon. Member to the meeting to adopt this Bill was that the whole Criminal Law of Ireland would be in the hands of the Irish Parliament, and that it could by a stroke of the pen abolish Grand Juries

and elect County Boards. The Ulster farmer does not like the idea of criminal procedure and the powers of legislative enactment being in the hands of his former enemies. I do not believe that Land League Judges, or priestly-elected Judges, as they will be, or Land League prices would give him fair play. I do not say that the Irish Parliament would, if they were allowed, openly persecute their opponents. I believe they would execute the operation in the most legal manner possible. They would simply sweep away one law and enact another, and in the hands of the Irish Parliament the country would be a hot place for the minority. One of the great charms held out for the Home Rule Bill to be supported was that Parliament would get rid of the Irish Members. This was the Chief Secretary's view. Undoubtedly, that was one of the lessons which my right hon. Friend said had induced him to become a Home Ruler. But you are not to get rid of them. You will have 80 Irish gentlemen here, and I invite the Chief Secretary to explain how he reconciles that change of view. We were told that this was to be a final settlement. But where is the finality? It has gone with the retention of the Irish Members. The hon. Member for Mayo said the Bill will settle something. I believe it will. It will finally settle Imperial supremacy, and it will finally settle the Irish minority. There is one thing I cannot understand, and that is the systematic abuse which we hear of England in regard to her dealings towards Ireland in the past. I venture to say that there is no more miserable cant than expressions like these, which are appeals simply to the ignorance of the people, or are made in the belief of the people's ignorance of history, to try to persuade them to press this Bill in order to make reparation for England's disgraceful dealing with Ireland in the past. During the last 50 years the record of England's dealing with Ireland is one of which any great nation might be proud. What is the condition of Ireland now compared with what it was? The people of Ireland are infinitely more prosperous, better fed, and better educated than they were; and, with the aid of British capital, many industries have been established in their midst. One hon. Member has spoken about the ruin

which England has brought upon Ireland. The population of Ireland has undoubtedly decreased; but the diminution of population is no test of decreased prosperity. Population has decreased simply because the people, being more educated, have learned that there are more countries besides Ireland in which they can live and thrive. They have gone abroad, and they have thriven there, I am glad to say. Irishmen in America would look upon it as a poor prospect if they had to leave New York, Chicago, and Philadelphia, and live in a congested district in Ireland. The argument as to the decrease of population has, therefore, no bearing whatever on the prosperity or non-prosperity of Ireland. As a matter of fact, the wealth of Ireland is ten times greater now than it was at the Union. I have tried, on behalf of the section of the Irish population which I represent, to show the country that our opposition to Home Rule is an opposition which we will never recall, and I believe the House is beginning to credit it at last. Is there any instance in history of a great country like this being forced by the gag to pass a measure for pulling down its Constitution and for the re-erection of another? I say there is no instance which has any analogy to this monstrous attempt to subvert the Constitution of a country without Debate. But despite the gag, we have been successful, to some extent, in fixing the attention of the country on the iniquities of this Bill. There is one critical point on which the country is now wide awake. That is the 9th clause. You will never be able to convince the English people that it is right to give the Irish not only the right to control their own affairs, but to come here and control the affairs of England. At the present moment there is growing in the country a belief—we have heard echoes of it from the bye-elections—that this Bill is an attack upon England; that you are not only willing to gag England in the House of Commons, but that you are going to enslave her outside, there is no doubt that you will get a very broad, clear, explicit answer from the country when the opportunity arises. There is one other thing we have also shown. We have shown that the safeguards put into this Bill are shams and delusions which are not worth the paper on which they are written. I think we have amply

*Colonel Saunderson*

justified the attitude which Ulster has taken. I think the speech of the hon. Baronet is proof of that. He says that in the attitude of Ulster is the best guarantee for the safety of the minority. We have been accused of disloyalty to the Crown. We are not disloyal to the Crown. But we never owed obedience to the power of the majority in Ireland, and we will never acknowledge it. The stand taken by us has been acknowledged in the country, for no sentiment is more applauded by the British people than that expressing the ultimate and irrevocable determination of Ulster. We have shown the British people that there is a strong and determined minority in Ireland that will have to be counted with. Before Home Rule can be shoved down our throats the forces of the Crown must be employed; and there is no case in contemporaneous history where autonomy was forced on a country at the bayonet's point, against the will of the most influential section of the people. It will, no doubt, be said that the very fact that Irish Unionists moved Amendments to this Bill showed that if the Amendments had been adopted we would have become Home Rulers and have adopted the Bill. Nothing could be farther from the truth. We moved Amendments not because we believed the Bill could be made acceptable, but in order to show up the corpse we had been dissecting during the last five months, and I think we have succeeded. We have also shown that we intend to force the Government to go to the country on Home Rule alone. The cry of obstruction has been raised, but the country has given no indication that it approves of that cry. We have shown a determination, and I believe we will be able to defeat any attempt to sandwich Home Rule between other measures of the Newcastle Programme. I have never doubted that the Government would carry their Bill in the House of Commons, knowing from experience something of the character of British Radicals. But it will be beaten in another place; and why? Because in the House of Lords there is not a Catholic majority. It is only because the Government have a Catholic majority here that they have brought in the Home Rule Bill. These things shall be made plain to the country, and we shall do it with this laudable object—that right hon. Gentlemen who

have sown the whirlwind shall reap the storm.

\*MR. PERKS (Lincolnshire, Louth) said, that in the course of the Debate the argument had been freely used by the Opposition that there was an absence of independence amongst the occupants of the Benches behind the Government, and that there was no real honest feeling in support of the Home Rule Bill. At all events, the new Members could say that they were not controlled by the powerful incentives which influenced some of the older Members of the House. In the first place, their opinions and judgment were not warped by personal antipathy, nor had they been under the painful necessity of bringing down to the House long selections from old speeches—annotated, expurgated, and often retracted. There were two arguments advanced by the opponents of the Bill which would have no effect in his constituency. One was that the Bill had not been sufficiently discussed in the House; and the other was that it was not understood by the country. He represented an agricultural constituency, composed of clear, common-sense men, and he ventured to say that if any eminent Member of the Liberal Unionist Party were to go down to the agricultural districts of Lincolnshire—for example, the right hon. Gentleman the Member for Bordesley (Mr. Jesse Collings), whose services to the agricultural labourers nobody would attempt to underrate—and advance these two propositions, he would find that, while he got a most respectful hearing, his arguments would not have the effect which he expected. He had found one of the most powerful expositions of the case of the opponents of the Bill in an article which the Leader of the Opposition had written for a popular paper with his usual lucidity and moderation. The right hon. Gentleman there said that the Liberal Party were influenced by two fallacies, which were at the foundation of most of their arguments. One was that they paid by the Home Rule Bill a debt they owed to Ireland for past delinquencies; and the other was the theory that the majority must rule. He did not deny that these were two very powerful motives, so far as he was personally concerned. The fact that large sums of money had been unjustly taken by the

landlords from the pockets of the Irish tenants in the shape of rents, and that equally large sums had been appropriated for many years by an alien Church, were powerful reasons why England should in financial concerns deal generously with Ireland. He was not ashamed to admit, also, that he believed in the good old doctrine that the majority must rule. When the Leader of the Opposition challenged that doctrine they were justified in expecting from him some clear and logical exposition as to when the majority must and when they must not rule. Take the Province of Ulster. Protestantism was in the ascendancy there. He supposed that, according to Unionist opinion, there the majority must rule. In the South of Ireland, and in Ireland as a whole, Roman Catholicism was in the ascendancy. There the minority must rule. Again, they were told that an important section of the Roman Catholic Church in Ireland, embracing the culture, the wealth, and the intelligence of that Church, was against the Bill. In that case, they were told, the minority must rule. Now, apply this same doctrine to the Presbyterian Church. The vast majority of the Presbyterian Church in Ireland was opposed to Home Rule. In that case they were expected to turn the doctrine completely round, and say that the majority must rule. In fact, when they once got away from the principle that the majority must rule they were landed in anarchy, sedition, and disorder. It was said, too, that the Nonconformists of England had turned a deaf ear to what was called the plaintive appeal of their fellow-Protestants in Ireland. He belonged himself to a Nonconformist Body which had 34 candidates in the last General Election, every one of whom was in favour of Home Rule, and he was persuaded that they would not have got 34 men of the Methodist Church to stand up in this country as defenders of the Bill if it were tainted in any degree with religious persecution. He believed the Irish Nonconformists were in earnest, but the danger they feared was not real. Among the Protestant ministers of Ulster who had taken part in the anti-Home Rule campaign was Dr. Nicholas, who had written a pamphlet which had been widely circulated in the English constituencies; and the peculiarity of

*Mr. Perks*

the pamphlet, as of the speeches made by the ministerial delegates, was that the appeals to English Protestants were based mainly on secular grounds, and not on any alleged intolerance exhibited by Catholics towards Protestants in Ireland. The chief contentions were that Home Rule would send down Bank Stock and Railway Stock, and otherwise affect trade. This was not an appeal by Dr. Nicholas to his fellow-Methodists, but to mere capitalists. They reminded him of a Petition presented by the City of London years ago with regard to the question of the naturalisation of the Jews. The Mayor and Corporation of London came to the Bar of this House and presented a Petition that Jews should not be permitted to be naturalised—first of all, in the interests of religion; secondly, in the interests of the trade and prosperity of the Empire; and, thirdly, in the interests of the City of London in particular. So also in this case there was a large mixture in the appeal to sordid considerations. There was the amplest possible protection in this Bill for every section of Nonconformity in Ireland. He did not know how to account for the extraordinary state of panic into which the Protestants of Ireland seemed to have fallen. There were only 25,000 Methodist members, with possibly 50,000 adherents, in the whole of Ireland, and a great number of those were living in Roman Catholic districts. They had Committees appointed to bring forward any case of persecution, but they had not heard on this side of the Channel of any case of Methodists having been persecuted in districts where they were surrounded by Roman Catholics. No particular religion was established or endowed under the Bill, directly or indirectly; no disability imposed on account of religious belief; no ecclesiastical property could be diverted without the consent of the parties interested; no denominational education, he presumed, in the Training Colleges and elsewhere could be prejudicially affected; and, further, they had the Conscience Clause for the protection of children in the elementary schools. In the speech of the hon. and learned Member for Waterford the other night, which was not a very wisely-worded one, they were told that in legislating for a people there was no such



into this Debate with the view of offering any contribution to the discussion as a Debate. He rose to ask the indulgence of the House more on a personal ground in consideration of the somewhat unfortunate, to him almost calamitous, relation which he had now got into with respect to the Third Reading of this Bill. He had the satisfaction of voting for the Second Reading of the Bill, and it was to him a true gratification. He regretted to discover that he should not be able to repeat that satisfaction in connection with the Third Reading; but not from any change that had come over him or from any cause for which he was to blame. He said in all sincerity that it was for him a sorrowful experience to find himself separated from his Party in voting on this Bill, but he declared that it was not his fault; he had not gone away from the Bill and the Party, but the Bill and the Party had gone away from him, and had left him in a predicament. Like Joseph—he referred of course, to the patriarch of that name—he found himself, if he might use a colloquialism, “in a hole,” but it was a hole in which he had been put by his brethren, who had thereupon abandoned him. Since the Second Reading of the Bill a good many things had happened, especially in what was to him a vital part of the Bill—he referred, of course, to the powers conferred upon Irish Members in this House. The Prime Minister, with the support of the Government and the Party, had adopted tactics which seemed to him to be diametrically opposed to his principles, and he was so much attached to his principles that he supposed, owing to some constitutional peculiarity, he was not able to follow his tactics, with the result that he found himself reduced to the position of a political curiosity, being he supposed now, on that point at all events, the only Gladstonian extant.

“The last of the faithful left trusting alone,  
All his late co-believers thirsting and gone.”

*Japhet in Search of a Father, Cælebs in Search of a Wife*, were works of fiction that once had a certain vogue; but under the title of *Gladstonius in Search of a Leader*, or *Item in Search of a Chief* he could tell a tale of woe, but he would refrain and draw a veil over his feelings. But, besides this change to which he had briefly referred, he found

other aspects of the Bill which filled him with regret. As it was originally introduced the Bill was an honest and substantial attempt to bestow self-government upon Ireland, but marred by the, to his mind, regrettable and needless reservations. Against these reservations, as inconsistent with Home Rule and also as being in themselves absurd and vain, if viewed in the light of conciliatory concessions to an absolutely and necessarily irreconcilable Opposition, as being in fact, if he might so say, in the nature of unworthy dodges which were, besides, useless, being a spreading of the net in sight of the bird, he said against these he protested, ineffectually it was true, but as well as the limited opportunity of doing anything enabled him to do. At the same time, he steadily supported the Government in their resistance to the endeavours of hon. and right hon. Gentlemen opposite, which he admitted were perfectly natural from their point of view, because though he held their opposition undoubtedly contained sporadic, perhaps more than sporadic elements of destruction in it, yet to a certain extent it arose entirely and distinctly out of their deep, though to his mind erroneous, aversion to the principle of the Bill. As originally introduced, he supported the Government in resisting the efforts of the Opposition to make Home Rule practically as well as theoretically a subordinate dependent, but he found, in respect of its being an independent Home Rule measure, the Bill had come out of Committee worse than when it entered it. Amendments had been made or resisted, postponements and limitations had been introduced or persisted in to such a degree that he found now many of the most practical friends of the Bill describing it as a transitory, experimental, and a partial version of Home Rule. If that be so, if that description be right, then he had to remember that he was sent there to support Home Rule and not half-Home Rule; he was sent here to support virtually a final settlement, and not a mere instalment or scrap instalment of Home Rule. Of course he should be told he was not much hurt by that, because half a loaf was better than no bread; but he demurred to that application of this piece of proverbial philosophy, and in its relation to Home Rule to take a position upon this half-loaf policy

which he regarded as one of those articles which were entirely more mischievous than integrated falsehood. Let him ask what was a loaf? A loaf seemed to him to be a homogeneous mass of semi-evaporated dough in which the homogeneity was the emphatic term. Owing to its homogeneity, if they halved the loaf they got something which was worth taking, because, though diminished in quantity, it still possessed all the qualities of the original. But if they tried their maxim upon something that was similarly homogeneous, but an organism, such as a political Constitution like Home Rule was, they would find a defect in its application. Would they say that half a watch was better than no chronometer? It was worse, because it was a burden. Or that half a fiddle was better than no orchestra? It was worse, because it was a nuisance. Or that half a man—whether they bisected him vertically or horizontally—was better than nobody? It was worse, because they would have to bury the moieties, whereas no body would cost them nothing for undertakers' or other fees. And similarly he put the question, was half-Home Rule necessarily better than no autonomy? He thought it was possible, without pushing the analysis too far, to put that proposition in doubt. It might be that in the present case the result of half-Home Rule would be the creation of Irish discontent and cabal in Dublin, with a continuation of the old Irish controversy and intrigue at Westminster. Now, on that point he had rather failed to new follow the action of his hon. Friends from Ireland. He thought that they wanted thorough Home Rule, but he had found them often voting against the most elementary characteristics of what he had considered as Home Rule. He had protested against all the absurd reservations proposed by this Bill upon Irish autonomy, but he had not experienced much sympathy from the Irish Benches. He voted for the complete control of Ireland over its own taxation, but he found Irish Members going into the other Lobby; they would not have self-taxation on any account. He voted for giving the immediate control of the land to Ireland, but he found Irish Members, for the most part, at all events, going into the other Lobby; they would not have their own land at any price. In these circum-

stances, he was tempted to ask whether Home Rulers really wanted real Home Rule? At all events, he had objected to the use that was being made of this half-granting—this partial postponement of Home Rule. They were told they must keep the Irish Members here for all purposes, because they were keeping so much of their business with them. In passing he would ask, even if that were a sound argument, why for all purposes, why for more than their own purposes? But, leaving that point, he said that that plea was no answer to the like of himself, who objected to Irish rule in British business, because he said that he did not want their land, or their taxation, or their Police, or their Judges to be left here for them to deal with; he wanted them to take away these things with them, and to manage them themselves. He said they were artificially creating a false excuse for perpetuating a wrong, and when they had done the wrong they said it was necessary, and justified by the false excuse they had first artificially created; they did exactly what the street impostors did—that was to say, they got up fainting fits, and then fell down in them in order to lay a basis for brandy, half-a-crown, and a cab home. It was very old, and he thought by this time an exploded strategy, the same as for his Irish friends to vote against the taking away of all their property with them, and then come round and say, "We must stay behind in order to watch our property, and must have complete power over you and yours, in order to do it effectually." He was not able to follow them in this matter at all. His doing them a favour was no ground for their insisting on interfering in every respect with him and his. They insisted on leaving a large part of their farewell luggage in his hall. He said he did not want their luggage to be left there, but if they would insist on leaving it, that gave them no right to sit down upon it, far less to insist upon wandering all over his house and doing whatever they pleased. They might be very thankful he did not throw their luggage out into the street, and, in the meanwhile, he thought they ought to retire in order to make sure of their not losing the train. At the same time, he said, much as he disliked this imperfect aspect of the Bill, in all the circumstances, it was not a consideration

*Mr. R. Wallace*

that would have prevented him from supporting it, and regarding it as he had still been able to do—if there had been nothing else to find fault with—as a substantial though imperfect assertion of the principle of Home Rule. Then there was another feature which he disliked intensely in the Bill as it now stood, and that was the Second Chamber constituted upon a narrow property qualification. He asked, why did a Liberal Government and a Liberal Party create and sustain a monstrosity like this? Amongst the Amendments which they rescued from the guillotine, why did they not put down one at least that would have placed this Second Chamber suffrage on a rational basis; or, if Ireland demanded this Second Chamber, based on this qualification, of which he saw no evidence, because submission was a very different thing from demand; but still, if she did demand it, why did not the Government cast on Ireland herself the responsibility and the duty of framing, of fabricating, her own Second Chamber to her own mind? He heard great talk among some of his friends on that side of the House of the terrible things that were going to be done when the House of Lords threw out this Bill. For himself, he was anything but a friend to the principle of hereditary legislation, and accordingly he regretted deeply that he thought that this Bill, in the hands of this Government, would prove rather a strengthening than a weakening of the position of the House of Lords. It seemed to him, in present circumstances, a pretty Government and a pretty Party to attack the House of Lords, and a pretty Bill to attack it upon. A Democratic Government that spent a considerable part of its energy in creating and distributing hereditary honours with a special leaning to wealth over worth, a Democratic Party whose most iconoclastic Members were actually tumbling over each other in their steeple-chasing after baronetcies, with the wild whoop of “knighthood take the hindmost,” proposed to attack the House of Lords upon a Bill, one of whose most characteristic clauses created a privileged tribunal of landlords empowered to veto the will of the people. His own belief was that considering the mess into which this Bill had got in this matter as well as in one or two others, when the House

of Lords threw out this Bill the country would not go off into paroxysms of grief and rage; some part of it even might laugh, and say—“Serve them right as a Democratic Government and Democratic Party that takes such singular methods of working out Democratic principles.” But even that blot, considerable though it be, in the Bill, would not have made it impossible for him to support it if it had remained what it was at first, a coherent assertion of the principle of self-government. But that the Bill no longer did. By the sudden and absolute sacrifice of the protective sub-sections of the 9th clause—or, as he should say, of the old 9th clause, for he believed it was now in the amended Bill the 10th clause—by the sudden and absolute sacrifice of those protective sub-sections the Government had changed the Bill essentially, and, in his opinion, had converted it into a self-contradictory measure. The Bill now said that self-government was right for Ireland, but it was wrong for Great Britain. It said, and it said rightly, that Irish affairs ought to be managed in Ireland by Irish Representatives to the complete exclusion of non-representative British interlopers, but it also said that British affairs ought not to be managed in Britain by British Representatives without the inclusion of non-representative Irish interlopers, and in that way he said that the Bill was not merely wrong, but he said further it was incoherent and did not hang together, and was inconsistent; it was an attempt to construct a yes-no or black-white proposition, and which, therefore, by the necessity of the case, when they attempted to grasp it, not only repelled assent, but actually transcended the apprehension of a sound understanding. The former opponents but present apologists of this Constitutional heresy attempted to extenuate it as something that was trifling, minor, and secondary, and he had considered, as it was his duty to do, very carefully what they had said on this matter; but he was not able to see it in that light. No one could have put the case more powerfully than the Attorney General did yesterday, but he could not see that he had been successful in upsetting those formidable and preponderating reasons which were assigned by the Prime Minister for proposing the now, as he thought, unwisely and weakly abandoned sub-sections of the

9th clause. At all events, he would say of this change in the Bill that, so far from seeming secondary and minor, it seemed to him to be a vital, a supreme, and a perilous innovation—subversive of the principles of representative Government and pregnant with the possibilities of political disaster; and, until he saw the contrary, he should continue to believe that the country would take the same view. He thought when the Scottish people came to understand that while not one individual of their 72 Members was to have a syllable to say in Irish affairs, which would be all separately transacted by the Irish themselves in Ireland, there were still to be 80 Irish Members here who would have exactly a ninth part more control over Scotch affairs than Scotland would have itself. He said that when once it came to be understood in Scotland that when this Bill became law, if it ever became law, it would then undoubtedly become the interest of Ireland to oppose Scotch Home Rule—[*Cries of "No, no!"*]*—yes, the interest of Ireland to oppose Scotch Home Rule—because that would be the best way of retaining Scotch matters here in order to enable them more effectually to coerce the Scotch vote on Irish affairs—they would be of opinion that this was a very unjust and dangerous proposal. When once they came to understand that, they would be of opinion that that was a very unjust and dangerous proposal. It would be a surprise if the English people took any other view when they came to understand that the Irish presence meant, in practice, the casting vote of Ireland in the mass of English and Scottish concerns. Of course, if at a General Election Scotland and England, with their eyes open, declared that they desired to be ruled by an outside authority, if the cry of "One man one vote, one Irishman two votes" carried the day, then he, for one, would be not, indeed, convinced, but he would be silenced; but until that, to him, inconceivable course, he, for one, would do what one very humble individual could to warn such portions of the constituencies as his voice could come across against the iniquity and the danger with which he believed this Bill was charged. Of course, he was told that he had got his answer, because the Liberal Party as a*

whole, almost in its entirety, voted for retaining the Irish Members for all purposes. But he desired to ask, Had the Liberal Party, in the vote, the mandate of the constituencies on this point? From his own experience in different parts of the country, he should conclude that if this point had been clearly put to the constituencies at the last Election, they would have declared against the Irish usurpation in British politics. But, putting that aside, he wished to ask whether there were not many Members who voted in the majority upon totally different grounds from that of an eager desire to bring about Irish domination in British matters? He would ask liberty here to introduce a quotation from one who would be recognised as undoubtedly one of the best informed commentators upon the proceedings of this House. He referred to his Friend the Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor). That hon. Member, like some other Members of the House, was not satisfied with the opportunity of stating his mind from his place in this House, but kept a newspaper to himself for the ventilation of his views, which, from the pardonable belief he had, no doubt, on his part, that it was the true centre of political light—and it certainly was the focus of political and other heat—he courageously called *The Sun*. As it happened, it was part of his hon. Friend's solar system to present the public with a weekly review of the Debates of the House under the heading of "At the Bar of the House," which, whatever hostile criticism might think of its good feeling, good thinking, or its good taste, or even its good facts, was always, at all events, good copy. The week after the Prime Minister turned his remarkable and unexpected somersault on the 9th clause, by which he voted out his own just and reasonable proposal for retaining the Irish Members only for the common affairs of the Empire, and moved in the very opposite proposal, his hon. Friend darted some sunstrokes from the "Bar of the House" on the proceedings in Parliament, which were to this effect—

"Last week we were down in the very depths of the dumps, when we were certain that last Thursday would see the end of us and the Government of Mr. Gladstone, and, above all, of the Home Rule Bill. We had heard all kinds of tales about the desertions which were going

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to come from the faddists, from the cranks, and from the half-hearted."

Then the hon. Member gave a list of those persons, in which he was astonished to find his name included. And his hon. Friend went on—

"Well, the great day has come and gone, with the result that the Government is stronger than ever. The malcontents, trimmers, and the disgruntled have done their worst and the Government still stands secure, and indeed is now stronger than ever before, and the voice of the trimmer is soft in the land, and the crank and the faddist have gone back to the dark recesses of their cave."

He (Mr. Wallace) might be allowed to remark that, inasmuch as the opinions he and others advocated were, and he supposed are, the opinions of the Prime Minister and the Government, they thought they found themselves in very good company when they were called disgruntled faddists, and cranks, and trimmers. If they were disgruntled, who was the leading disgruntler? He would say the Secretary of State for War (Mr. Campbell-Bannerman). If they were faddists, who was the chief faddist? The Chancellor of the Duchy (Mr. Bryce). If they were cranks, who was the leading crank? The Secretary for Ireland. If they were trimmers, who was the arch trimmer? Why, the Prime Minister. His hon. Friend, however, proceeded to trace the causes of this, and to give an explanation of the happy Party unanimity and unity which he had just signalled. His hon. Friend traced it to a mysterious influence which he called by the monosyllabic name of "Joe."

"To Joe it should in justice be said that the chief honour belongs of having produced this transformation."

To him this was considerably mysterious. "Gee" he knew, and Gehu he knew, but who was Joe? Was it an African potentate? Was it a chemical substance? Was it by any possibility the redoubtable client of the right hon. Gentleman the Member for West Birmingham, whom in his absence the right hon. Gentleman so ably represented in this House? In the pre Confucian days he knew there was a Chinese deity called Foo. Was Joe possibly his second cousin?

Mr. T. P. O'CONNOR: It was the Brummagem idol.

MR. R. WALLACE said, it could not be a Member of this House, for in all the circumstances that would have implied a vulgarity of literary form, of which he knew the hon. Member was perfectly incapable. Accordingly he (Mr. Wallace) dealt with the difficulty in the traditional way of commentators; and having looked it squarely in the face he passed on. The hon. Member (Mr. T. P. O'Connor) continued—

"The other night, when we were discussing the 'in-and-out' clause, there were a certain number of Liberals, as I have always said, who were a little shaky, and some of them even would have gone the length of voting against the Government; but when they heard Joe and the malevolence of his attack their minds underwent a conversion, and many of them who would have voted against us were able to summon up their courage and Party loyalty so far as to walk out of the House. Whether that is what the voters who elected them intended when they sent them to Parliament is a matter which may be left to their constituents. Not the eloquence of Gladstone, not the subtlety of Balfour, not the stern sense of Party loyalty did half so much good as the malignant tongue of Joe."

Whatever the occult power called Joe might have been, it clearly was not faith in the propriety of Irish control in British affairs, and this was really why he (Mr. Wallace) had taken the liberty of inflicting this long quotation upon the House. Because it showed that, in the opinion of one of the best-informed and competent critics and historians of their proceedings, the majority did by no means consist entirely, or to a large extent, of believers in British subjection to Irish supremacy. According to the hon. Member, it was due to entirely other causes. The Member for the Dumfries Burghs (Mr. Reid) had told them that he knew 15 or 20 who were believers in the principles of the Prime Minister and of the Government; and from his (Mr. Wallace's) own ordinary channels he gathered indications that in this majority there were a very considerable number who had an aversion to Irish intrusion in British matters, but who voted as they did for the purpose of what seemed to them the right purpose—of avoiding the discredit and the danger of Government defeat. He himself held that the very worst Liberal Government must be better for the country than the very best Tory Government; and if a Liberal Government announced that it was going to make a certain vote a

Vote of Confidence or of No Confidence, he could conceive himself, while nominally voting in apparent support of a measure which gave him the greatest dissatisfaction, making an avowed protest against the measure on its merits, and declaring that his votes were not given in support of it, but for the totally different purpose of preventing a Tory Government from coming into power. Accordingly, so far as this particular majority vote upon which so much stress was laid was a vote given merely to keep the Government in Office, he declined to regard it as any indication of the opinion of the country that Irish rule of Great Britain ought to be one of the conditions and parts of Home Rule. The Prime Minister had said that the House was master. No doubt; but the House had a master, and that was the country. The verdict of this higher master he awaited at the General Election. Hitherto he had not heard that the country had welcomed the proposal of Irish usurpation with any very great signs of enthusiasm and cordiality. He noticed that the Chief Secretary at Newcastle and the Home Secretary in Northamptonshire last night gave this aspect of Home Rule, and, indeed, most of the aspects of Home Rule, a very wide berth, and very prudently confined themselves to copious and, he should not say, undeserved abuse of the plaintiff's attorney. Since the brief and inadequate Debate upon the protective sub-sections of the 9th clause he had studied all that had been said in defence of the form that the Bill had now assumed by his friends on the Government side of the House with the honest desire of being converted by it, if possible, and brought into line with the voting of his Party, but he was bound to say he had not been so successful as he could have desired. He applied his mind, of course, naturally, first of all to the Prime Minister's Midlothian letter. He had there expected to find the highest authority upon a matter such as this. In his recent speech the right hon. Gentleman had said nothing with which he (Mr. Wallace) could not cordially coincide, and, therefore, he had no trouble in applying his mind to the letter. He had made that application of his mind in the reverential frame of spirit in which he always regarded deliverances from such a quarter, but he must acknowledge that it did not seem to him to be one of

the most successful of the right hon. Gentleman's performances. It presented itself as an artless account of how the right hon. Gentleman came to turn the Bill round to precisely the opposite of what had been originally introduced, and of why it was that he was now the more or less ardent opponent of what, after all the *pros* and *cons*, he had decided and still thought to be the right course on the merits of this question. He said he had deferred to the opinion of the House and the Party which he had ascertained, not as in his simplicity he would have expected the right hon. Gentleman would have done, in the formal Debate and deliberate pronouncement of the House upon the matter, but by private inquiry, as was done in connection with divorce cases and the like. Through his private inquiry agency he ascertained that the real majority of the Party thought he and the Government were right in this matter. Again, in his simplicity, he (Mr. Wallace) should have supposed that if the right hon. Gentleman had convened his Party, and had urged on them to take the right course, he would have persuaded them to follow it; and he could not help thinking it was a very great misfortune indeed that the finest head in this Assembly should have been put to no better use than counting the noses of duller men. But the right hon. Gentleman thought he could not carry his own view; and as, apparently, he must carry something, he determined to carry the opposite view; and carry it he did. In declaring the "in-and-out clause" unworkable the Party did not act with that servility which was sometimes attributed to them; but, in his opinion, a high-handed and unreasonable masterfulness commended them. The famous "Herod" illustration was perfectly inapposite in this case. On the subject of the "in-and-out" clause the items did not say—"It is the voice of a god, and not the voice of a man." They said something very different. They practically said—"It is the voice of a botcher, and not of a master." Of the "in-and-out clause," which he himself regarded as a just and rational proposal that might have worked well if it got a chance, they went about saying, "In-and-out, Ho, ho! Out-and-in, He, he!" and this harmless chuckling proved too much for the solemnity of the Liberal Party, and then the

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Liberal Party proved too much for its Leader, and that was how the great change actually came about. Regarded as political coachmanship, he must say he thought it was coachmanship extraordinary. The coach was being driven slowly but surely uphill. The most experienced and the wariest driver upon the road was upon the box. All seemed to be going well, and it was merely a question of time to reach the summit. But the guard—a new guard—came forward, and said he understood the horses did not like the up road, and wanted to turn and go down. Strangely enough, the champion driver, instead of saying, “I know better than that,” merely remarked, “Is that so?” He turned the team round, gave them their heads, and off they ran, with the result that the whole cavalcade must be turned into the nearest available potato field in order to insure a halt, although it should cost a spill. “The country,” said the right hon. Gentleman, “will be of opinion that in the actual circumstances of the case we judged aright.” No doubt, if they were put to it, an overturn was better than a smash. But let them hope that when the Home Rule coach, after the necessary repairs—and they must be considerably extensive repairs—was next put upon the road, it would be the driver and not the horses that would settle the course. At the same time, he (Mr. Wallace) was bound to admit that, having made up his mind to revolutionise the Bill, the right hon. Gentleman executed the operation with perfect nerve and consummate address. Although himself one of the credulous victims who had to be sacrificed in the matter, he could still admire the style of his immolation. Never should he forget that Wednesday afternoon seven weeks ago, when in the quietest manner possible, just as if he were going to do nothing in particular, at the last moment and without one word of warning to those who had put faith in the sagacity of his proposals—proposals which he had declared to be demanded by a dangerous political intrigue which he had described as more than he and his Colleagues had been able to face, proposals which he further stated to be the best plan that he and they, after much labour, had been able to fashion, and which had been for months before the country

stamped with his own and the country's *imprimatur*—the right hon. Gentleman, in a few hours, without calling for the vote of condemnation on them which he himself had invited, before the country had an opportunity of pronouncing an opinion, or even of apprehending what he was doing, and in the teeth of his own express declaration that he could not propose any alteration in the clause, took up the proposals, and, in the very eyes of the House, who still valued them, not only for their sakes but for his own, threw them straight and clean overboard—

“The waters wild were o'er them piled,  
And we were left lamenting.”

Whatever might be thought of the performance in other respects, it was inimitably done. He did not think that dexterity of transaction had yet been properly understood or appreciated in the country. To his mind, it was one of the ablest things of the kind ever done in any Parliamentary arena. In France their lively neighbours would have recognised its merits; they would have raised it to the dignity of a *coup d'état*, and have handed down its author to immortality as the man of the Twelfth of July. He said, in language of the most unaffected admiration, that all the smartest men of ancient and modern times—Ulysses and Simon—Jeremy Diddler and Sam Slick—the Artful Dodger—the Patriarch Jacob, and the heathen Chinese—all found their special exploits eclipsed, while at the same time redeemed and rehabilitated, by this marvellous *tour de finesse*. Although occupying the position of a yokel at a country fair, deluded by the clever gentleman from London living upon his wits, he was still glad to have participated in any capacity in this brilliant performance. He once knew a man, not personally, but by reputation, whose boast it was to his dying day that, under memorable circumstances, he had been kicked by George IV. He would always regard it as a distinction of a kind that during a large portion of the history of the Bill he was illusionised, no doubt for his own and his country's good, but surely by the deftest manipulator who ever for lofty purposes practised the art and mystery of political prestidigitation. The Prime Minister, in his Midlothian letter, did not condemn upon their merits the policies either of total

exclusion or retention with limited powers. He did not say, as the Chancellor of the Exchequer had said, that the "in-and-out" clause was unworkable. He could not say that. He was careful to say that many Members were of that opinion, leaving for himself the reflection that, just as "a book's a book, although there's nothing in't," many Members might also be Members possibly upon the same footing. What the Prime Minister said on behalf of the policy of Irish intrusion into British affairs rested upon half-a-dozen distinct predictions, the general effect of which was that notwithstanding what had been said of dangerous and wholesale political intrigue, these persons might not, after all, do the damage some people expected. But even if that were so, it would be of little consolation to him. If a stranger was in his house against his will, he should not be comforted by being told that the stranger would probably not break the furniture or empty the larder. There would be no saying what he might come to do if he got hungry, or if he became angry. At any rate, however harmless, the stranger would be out of place. He would be a trespasser. His very presence would be an annoyance and a burden, which he (Mr. Wallace) would do his best to get rid of. When he tried to think of Home Rule actually at work as proposed in the Bill, with 80 exotic gentlemen from Ireland in the House, with no representative character any longer for British interests, and with no interest in British affairs, and when he thought of them forcing their interference, he thought the whole thing would come to be found to be an intolerable irritation, burden, and nuisance. The Prime Minister said that the Irish Members would be fewer than they were now. Still they would be as numerous as they had any right to be. The transition from 103 to 80 was not the great concession it was represented to be. The transition from wrong to right was in no way a concession, and the Prime Minister had put forward 80 Members as a just and equitable quota of representation for Ireland. Their plea on that head was really the plea of the knavish attorney who, having had an over-charge of 25 per cent., struck off his extortionate bill of costs, wanted to pass it off as a generous 20

per cent. discount. They never could cancel one fraud by a second. Eighty Irish Members were not only numerous enough for justice, but for mischief. The Prime Minister's second prediction was that when Home Rule had been carried the Irish Members would be more busied with their own affairs, and would not trouble the Imperial Parliament. Yes; but just as if to blast the hope which was rising in some quarters, the Bill made a special feature of creating a special representation of Ireland, the Members of which were to come to the Imperial Parliament and find some employment for themselves. Everyone knew what that representation would be. It would consist of London Irishmen, voting under telegraphic orders from Dublin. Although it was a far cry to Cork and Tipperary, even the most otiose of Irishmen could easily come from Highgate or Brixton whenever he was wanted, and more particularly when he was not wanted. The third prediction was that the natural restraints of good feeling and goodwill could not but check meddlesome and undue intervention. He must say that in times like these, when the business of Parliament could not be made to move at all unless the majority used the persuasion of the gag, it appeared to him that that prediction possessed all the beauty, but all the futility, of childlike innocence. It might have done very well for the Garden of Eden during the supra-lapsarian history of that institution, but he did not think it was well fitted to a fighting and *fin de siècle* House of Commons. The practical politician, whether English or Scotch, was generally a hard and a worldly person, and he would feel that good feeling and goodwill was not likely to act as a powerful Parliamentary protection against an Irish Member securing all his own, and certainly in some cases all other people's. Then the fourth prediction of the right hon. Gentleman was that after Home Rule was granted the Irish Party would in all likelihood be returned in greater variety of sections, which would balance each other. But his (Mr. Wallace's) second sight informed him that it was far more likely they would be a solid Irish majority in that House, whose object it would be to support that solid Irish majority across the Channel,

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and to aid that majority to get rid of the Imperial veto, to ameliorate the conditions of Irish finance, to break down the absurd restriction upon Irish autonomy contained in the Bill, and to leave the Irish Legislature free to deal as they chose with education and with religious endowments. In these matters the Irish Representatives would act, and be obliged to act, as one man. Then, the fifth of these predictions was that, after all, they would not have the same motive for direct intervention as in 1885, and, as hon. Members opposite would add, in 1886, when the Home Rule Question, which happily Parliament was now seeking to dispose of, was all in all to them. His clairvoyant faculties, however, seemed to show him that the motive of the Irish Members would be substantially the same in the future as it had been in the past, though the direction and aim might be different. For Ireland having obtained independence, their great work would be to retain and, if possible, to extend it. Intervention in British interests would be their natural and most effective weapon in the second stage just as it was in the first. Then the sixth and last of the Prime Minister's predictions was that a repetition of what they had suffered under the present system on Ministerial crises, and that almost certainly with mitigated features, would be the worst that could happen. Was that not enough? The right hon. Gentleman said, lightly, that the worst that could happen would be the occasional destruction of the Liberal Party. To an earnest and anxious Liberal that seemed but very cold comfort. This would be brought about, said the right hon. Gentleman, by dangerous wholesale political intrigue, but the right hon. Gentleman's rhetoric seemed only the thumping of the big drum for lack of better music. When was it the right hon. Gentleman told them this wholesale and dangerous political intrigue was likely to occur when some vital British measure was before the House? But was that a rare occurrence, was it not rather so common as to be actually habitual? As to the 500 British politicians in the House who "never, never would be slaves," the difficulty was that, in present circumstances, the 500 British Representatives were usually divided in the proportion of 260 against 240; and,

therefore, it was unlikely that they would combine for the purpose of preventing one or other of the Parties from obtaining a majority by the assistance of the Irish Members. He trusted that, having gone through with the care and respect due to what the Prime Minister had said in defence of the changes in the Bill, and having found them unsatisfactory, he (Mr. Wallace) was freed from the responsibility of considering what others might have said. He had addressed the House mainly for the purpose of explaining and defending the somewhat painful and difficult position in which he found himself placed. He regretted extremely that the Government should have decided to pass the Bill in its present form. He thought the Government might have made some compromise, at all events, in the way of numbers, rather than have pushed that point to the extreme. It seemed to him that both Parties in this House had got into a position of extremity. The Unionists thought nothing too evil could be said of Ireland and the Irish. The Tory Party, on the one hand, would not trust the Irish Members with the portage of a parcel or the expenditure of a sixpence; while, on the other hand, the Prime Minister and the Government seemed to have got into the opposite frame of mind, and thought nothing was too good for Ireland and the Irish; that they ought to be trusted, not only in true positions, but in false positions, and that they ought to have the management, not only of their own business, but of the business of everybody else as well. For a moderate politician like himself to be placed between these two cross fires was to realise all the disadvantages of that proverbial position which is bounded on the one side by the deep sea. Surely in this matter the truth lay somewhere in the middle between the Hibernia-phobia of Birmingham and the Hibernia-mania of Downing Street; and he would appeal to the Government, even at the eleventh hour, whether it would not be possible to work back, and work the country back, to some of the earlier solutions of the difficulties in which, if he was not mistaken, some of them maintained unshaken confidence? The Government having marred their measure, his chief regret, when the House of Lords should throw it out,

would be that an opportunity would have been lost of aiming a great blow at the hostile power of the hereditary Chamber. This Bill would not, in his view, be the final form in which Home Rule would be conceded, and he would live in the hope that the failure of this Bill would lead to some other proposal founded upon those considerations of reason and justice, which had been the weapons which had won for the Liberal Party all its triumphs in the past, and without which, or against which, it would gain no victories in the future.

MR. T. P. O'CONNOR (Liverpool, Scotland) said, he did not rise because of the personal allusions which the hon. Member who had just down had good-humouredly made to himself. At the same time, he felt bound to thank the hon. Member for supplying the journal with which he (Mr. O'Connor) was connected with gratuitous advertisement which otherwise would cost a great deal of money. But he had risen to say a few words only as to the retention of the Irish Members. He thought the hon. Member had, no doubt unintentionally, misunderstood and misrepresented the final form of the Bill in regard to the retention of Irish Members. It was perfectly plain that if the Government had proposed the exclusion of those Members they would have been attacked with equal violence by both the Unionist and Tory Members, and a great many of their own supporters would have been obliged to withdraw support from them. The hon. and learned Gentleman the late Solicitor General, at an earlier period of these Debates, had alluded to some remarks which he (Mr. O'Connor) had made on this subject in 1886. Well, he had no hesitation in saying that the views which he had expressed on this subject in 1886 had been considerably modified by the events which had intervened. Since then the Liberal electors had declared that they would not regard any Home Rule Bill as satisfactory which excluded any part of the Kingdom from representation in the Imperial Parliament. In the face of that generous confidence and expressed wish of the English people, it would be foolish for the Irish Members to raise any objection to their retention in that House. This point had been settled far more by English than by Irish opinion. The Irish Members were

willing to accept any settlement that seemed good to the English mind or to English opinion; and even yet, if the settlement arrived at seemed to be unsatisfactory, the Irish Members would be ready to have the question reconsidered. The hon. Member who last spoke had raised a number of bugbears, and he (Mr. O'Connor) was at a loss to know what was the object of the hon. Member's speech. He had applied a number of epithets to the Prime Minister. He had called him a Jeremy Diddler, an Artful Dodger, a Sam Slick, a Simon, a Jacob, and had used many other expressions culled from his ecclesiastical, his journalistic, and legal experience. But he (Mr. O'Connor) failed to see what the object of the hon. Member's speech was, unless it was the wish of the hon. Member that the Bill of the Government should be destroyed. Was that his wish; if not, what did he mean? Look at the dangers he had conjured up. The hon. and learned Gentleman said that the Irish Members would be 80 strong. But did he think that all would be of the same opinion? Would the hon. Member for North Kerry (Mr. Sexton) and the hon. Member for North Armagh (Colonel Saunderson) be found always acting together? If an attempt was made to denominationalise education in Ireland, or to endow a Church which, in the opinion of the hon. Member for South Belfast (Mr. W. Johnston), was the origin of most of the evils of the world, would the hon. Member for North Kerry and that hon. Member be found in the same Lobby? His hon. and learned Friend was a splendid metaphysician, and had been a good journalist, but he was a bad politician. In his (Mr. O'Connor's) opinion Parties would remain much as they were, and much as if there were no Irish Members. As to the sending of London Irishmen to the Imperial Parliament, he did not believe in it. Ireland would be foolish to send here a lower or meaner class of Representatives than she sent to College Green, and she would send to London men having their roots in the soil of Ireland. These men would only come when an Irish question or an Imperial question was under discussion, and was their right to do that denied? In practice the in-and-out plan would be followed in a better form than the scheme

originally proposed by the Government. As to interference by the Irish Members with English, Scotch, or Welsh business, he would give a warning to his brethren from Ireland, though he did not believe it to be required. It was perfectly plain that they could only be there occasionally when an Irish Bill was under discussion. If they interfered to defeat a Welsh Bill which was desired by the Welsh people, a Scotch Bill which was desired by the Scotch people, or an English Bill desired by the English people, they would soon have forced on Ireland a Bill which was not desired by the Irish people. He would conclude by hailing the Bill as a generous and great act of emancipation to the Irish people at home and abroad, for which he thanked the Government and the English people.

MR. A. J. BALFOUR (Manchester, E.): I am far from complaining of the two preceding speakers in that they confined their remarks to one clause in this Bill, because probably there is not a man in this House who conceals from himself the fact that when this controversy is reviewed in the country before different audiences, and before a final tribunal, the clause which was 9, and is now 10, will probably occupy a large amount of the attention of the orators and the audiences on those occasions. But I should like to remark that the two hon. Gentlemen have not altogether in this respect followed the example of the Front Bench. The Third Reading stage of the measure has, up to the present time, been considered to be that stage of a measure in which the House, looking back over its labours on the First and Second Reading in Committee and on Report, finally pronounced whether the result of its labours be good or be bad. We are not in that position. We cannot look back as to a Bill discussed in Committee and discussed on Report, because, for reasons familiar to the House, and on which I do not mean to dwell at length, we have never discussed three-fourths of the Bill either in Committee or on Report, and what is the result of that? The result is that this is not a Third Reading discussion at all. It is a Second Reading discussion—a First or Second Reading discussion, for the most part seasoned with criticisms and invectives against those who have ven-

tured to offer reasons why this or that clause should be rejected, and why, if not rejected, it should be amended. I do not know that the House has wasted its time wholly in venturing to criticise the Bill and engaging in these long Debates. The Prime Minister and the Attorney General and the hon. Baronet who made so interesting a contribution to our Debate to-night, as well as the Home Secretary, who yesterday spoke in another place, have spent their time in explaining or endeavouring to persuade the country that if the liberties of Parliament have been interfered with—if debate has been curtailed—the fault rests with gentlemen on this side. They urge that we, and we alone, are responsible for the fate which has overtaken us; and yet when I listened to the speech of the Attorney General, which was devoted to this interesting and fertile theme, I arrived at the conclusion that we had not devoted enough time to Clause 5 and Clause 10 to satisfy the wishes of those who have charge of the Bill. For how did the learned Gentleman spend most of his time? The hon. and learned Gentleman spent most of his time in delivering on the Third Reading fragments of speeches which he himself admitted would have been appropriate to the Committee stage or to the Report stage, but he had not delivered them for fear of wasting the time of the House. I do not mean to follow the hon. and learned Gentleman, because his arguments have already been completely exposed; but the impression produced by his speech upon my mind was that the Government themselves had suffered more acutely by the gag than any gentleman sitting on this side of the House. The *gravamen* of the Government charge rested upon certain statistics which they presented with regard to the length of time taken up on this Bill. The extraordinary uniformity of example brought forward, first by the Chief Secretary at Newcastle, then by the Prime Minister, then by the Home Secretary at Althorp, then by the Attorney General, and to-night by the Under Secretary of State for Foreign Affairs, shows that all the statistics emanated from a common source; that they have been got up by some diligent private secretary, circulated among the Members of the Government, and freely used as material and padding for the speeches

which they have delivered. The favourite example of a measure which ought to have taken longer is the Reform Act of 1832. I should like to ask the Prime Minister whether he has ever read that Act? but there are literally only two principles involved in it, one the principle of substituting genuine constituencies for what were known as rotten boroughs, and the other the settling of the franchise upon which the new electorate were to vote. The whole mass of that long Bill was occupied solely with discussing whether this borough should have one Member or two Members, whether the boundaries should be settled in this manner or in that, how constituency representation was to be divided; and there was not in that Act questions of principle which were contained in more than one or two clauses. One clause and one appendix in this Bill contained both these questions. On Clause 6 of the Bill you not only had to determine—or you would have had to determine if you had taken the trouble to discuss it—not merely the question whether there should be two Chambers, not merely the question of the Constitutional relations of those Chambers, but what the franchise for the electorate was to be; and in the appendix you had questions which, though they did not apply to an area as large as Great Britain, involved questions not less important, not less vital to the interests of the populations concerned. Grattan's Parliament was mentioned by the hon. Baronet (Sir E. Grey) and other speakers, who said that it was established in two days. Under what circumstances was Grattan's Parliament established? Grattan's Parliament was established when England was at the lowest depths of her fortune, and when the English Ministry felt they had no choice but to surrender to the Irish demand. I can well believe that it only took two days to run away, and I think it not impossible if this Bill or any Bill like it becomes law, and if England again finds herself involved in great foreign complications and warlike difficulties, that it may happen that Ireland will again make demands upon the British Administration, and that the British Administration may again run away, and that it will only take them two days to do it. But we are not

legislating in a panic. We are not now—or do not profess, at all events now—to be making a Bill the insufficiency of which is to be exposed, as was the insufficiency of the Act of 1782, in the course of a few years. We profess to be making a Bill which in its main outlines and in its fundamental provisions is to last through many generations and to be a law to us and to our descendants for ever. These are circumstances, if circumstances ever could exist, in which the full discussion by this House of every detail was required, in order that we, at all events, should be bound by the agreement to which we came with the Irish Parliament, and in order that some moral obligation would rest upon us to carry out the treaty which this Bill, were it to become law, would establish between England and Ireland, now no longer one United Kingdom. Before I part from the question of comparative statistics I should like to refer to the interesting and able speech made by the hon. Member for Devonport (Mr. E. J. C. Morton), to whom I listened with great pleasure, and who, I am sure, will be an ornament in our Debates. He went more than almost anybody else into the question of the period taken in the discussion of different measures. He gave a long list of Bills, including the North America Act, all of which he said could be pressed into the 83 days which were taken by an obstructive Opposition over this measure. I have two observations to make: The first is, that it is wholly absurd to compare the procedure of this Democratic Parliament in 1893 with the same Parliament 100 years ago. If we are so much a superior Assembly to our forefathers, three or four generations ago, undoubtedly one result of the great changes which have taken place in the political life of England since they lived has been in the direction of an increased participation in our Debates from all sides and all quarters of the House. There was a time when the whole business of Debate was carried on by a number of gentlemen whom you could enumerate upon the fingers of your two hands. Practically, the whole Business of the Government was carried on by three gentlemen, and the whole business of the Opposition by three more, with a certain admixture of independent Members. That way of carrying on

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Debate is wholly impossible under modern conditions, and, therefore, it is absolutely ludicrous for anyone with the slightest perception of historical perspective, with the slightest power of projecting himself into the life of the past, to institute these statistical comparisons between the time it took to discuss a great question in 1793 and the time it took to discuss a similar question in 1893.

MR. E. J. C. MORTON: The Act to which I referred, and to which the right hon. Gentleman has himself referred, is only 26 years old. It only took two days to pass.

MR. A. J. BALFOUR: Yes. That Act was wholly uncontroversial. I mean, as a matter of fact, it was uncontroversial; there was nobody who differed from it. My criticisms against the hon. Gentleman were not directed to that final sentence in that part of his speech in which he dragged in the Canada Act. They referred to the whole of his interesting statistics. I have not misrepresented him or the Prime Minister when I say they dragged into this controversy a Debate which took place under Parliamentary conditions absolutely different from those under which we live and with which all fair comparison is impossible. Why did not the hon. Gentleman deal with Bills opposed by gentlemen with whom he sits, who were elected under the same franchise to that under which we were elected, and who fought Bills under the same conditions under which we fight them? I will remind him of two Bills, one very small but very controversial; the other more or less complex, but not controversial. They were the Crimes Act of 1887 and the Land Act of 1891. I was myself in charge of both these Bills. I had to do my best to pass them, though I have a very lively recollection of the sort of opposition they encountered. The Crimes Act of 1887, which, as we all know, was closed, took before it was closed 41 days. Every principle, speaking broadly, of that measure had been discussed and approved and sanctioned by Parliament on previous occasions. Most of the clauses were copied *verbatim* from the legislative efforts of the present Prime Minister. I do not wish to overstate the case, and I will not say there was nothing new in

the Bill. There was. But, broadly speaking, the Bill was framed on familiar lines and copied from familiar models, and had been discussed and dealt with in this House over and over again. As for the second Bill, it was not a controversial Bill at all. It took two days on the Second Reading. I do not believe there was a Division on the Second Reading; and the Irish Members, who naturally and properly took the great part in discussing it, themselves would have been bitterly disappointed had that Bill not ultimately become law. It will be observed, therefore, that these two Bills, taken together, were fought under far more favourable circumstances, so far as Parliamentary time is concerned, than the Bill we are now dealing with—a Bill new in its provisions, with unheard-of details, involving every kind of principle, dealing with every sort of interest and every class in England, Ireland, and Scotland. I do not think it will be denied—I do not think it can be denied—that these two Bills together—the one, I say, brief but controversial, the other uncontroversial, although undoubtedly complex—together do not equal the sum of legitimate controversy which this Bill arouses. Who can maintain that these two Bills—and I can assuredly add many others to them—are equal in the bulk, scope, and importance of the issues they raised to the vast measure now being thrust through an unwilling Assembly? I do not think anybody will maintain it. These Bills together took within two days of as long as the Bill we are now discussing, and I recommend the hon. Member for Devonport (Mr. E. J. C. Morton) not to go back to ancient history, not even to go back 25 years, but to consider the Parliamentary performances of his friends and allies. I do not ask him to read the Debates; I do not ask him to see which is the most relevant and most important, in which there was the least unnecessary expenditure of Parliamentary time; but I merely ask him to go to the proved evidence of figures, and I am sure he will agree that, whatever may be the performances of the present Opposition, they pale before the performances of the Opposition which preceded; and that we, at all events, can feel that if the dignity of the House is to be raised by honest, relevant, and earnest discussion of the

details of a Bill we have done something to raise Opposition criticism from that slough in which it was left by gentlemen opposite. There is but one other point in connection with the conduct of the Opposition to which I wish to refer. The Chief Secretary was good enough at Newcastle on Saturday to quote a sentence of mine in regard to the attitude of the Opposition on this Bill, and to quote it as an adequate ground for the interference with the liberty of Debate in which this Government have so lavishly and with so much satisfaction to themselves appeared at times to indulge. What was that sentence? I said that our intention was to improve the Bill and, if possible, also to destroy it. That is the substance of what the right hon. Gentleman quoted with perfect accuracy. Is there anybody who objects to that proceeding? Our duty in Committee is to improve all Bills, and our duty at any stage of the discussion is to destroy Bills of which we disapprove. It is mere cant to say we are to come down to this House and in Committee to discuss the details of measures which we think destructive of the greatness of the Empire merely with a view of improving them, and to exclude from our minds, to throw away as an accursed thing, the very thought and project of, if we can, destroying them in the process. If the Chief Secretary thinks that wrong, I would ask him what his views are as to the course he took upon, let us say, the Crimes Act, I presume for the purpose of improving it? Would he have thought it consistent with his duty to omit any opportunity of destroying that Bill in its passage through the House?

MR. J. MORLEY: Yes.

MR. A. J. BALFOUR: You would have destroyed it.

MR. J. MORLEY: Yes.

MR. A. J. BALFOUR: Of course he would have destroyed it. Every Opposition dealing with a Bill of which it disapproves in its essential and immutable principles is bound by the same policy, which I have the courage openly to avow, which the right hon. Gentleman apparently does not disavow across the Table of the House, which, nevertheless, he apparently thought it consistent with the respect due to the intelligent electorate who sent him here to use as a justification for the interference with our liberties

and their liberties which he and his friends have perpetrated. I think I have said enough now upon what I am bound to say under ordinary circumstances would hardly be relevant; but as such matter has filled the whole of the speeches of gentlemen on the Front Ministerial Bench, I thought I could not pass it altogether without some comment and some reply. I pass to the Bill. I do not mean at this time of night to review in detail the many defects, and worse than defects, which, as we think, attach to the measure. The Prime Minister, in his opening address on the Third Reading, enumerated seven points which we had urged, and which, he said, if they were true were conclusive, or almost conclusive, against the Home Rule Bill of which he was in charge. I think the enumeration of the Prime Minister was an admirable enumeration. I think every man would be well-advised if when he has to fight this question in his constituency he was to placard the seven deadly sins of Home Rule on the authority of the right hon. Gentleman. But I shall not repeat the proofs which the Opposition have given that these deadly sins really are incident to Home Rule. I shall confine myself to a much briefer area of discussion, and I would ask this question: What exactly is the gain to Ireland which you think this Bill will introduce? Gentlemen below the Gangway in their speeches always hold out to us the prospect that when they come into power with an adequate financial sum at their command—which they do not think at present they have—they are going to regenerate Ireland materially. The whole condition of the people is to be raised. Emigration is to cease, because Irishmen will find employment at home; poverty is to be arrested, agriculture is to be promoted, industries are to be fostered, and if all their prophecies are to come to pass, there are few nations in this world likely to be so blest as the new Ireland under the new Irish Government. But I confess that, looking back now over the whole 14 years in which I have been a Member of this House, and in which Members below the Gangway have arrogated to themselves the exclusive representation of Irish interests, I have seen a wonderful display of Parliamentary ability, perseverance, tact, and eloquence; but I have

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never seen or heard, anxiously as I have looked for it and listened for it, the slightest sign that any single one of those gentlemen has at his disposal a plan of dealing with Ireland which would commend itself to any economist, to any statesman, to any man of moderately large views. I have heard attacks on landlords; I have heard them attack Castle officials; I have heard them deal destructive criticism against every action of the Irish Government, but never yet have I heard from them a single proposal likely to be of permanent ameliorative effect upon the long-standing ills and troubles of the country which they aspire to rule. Now that is a challenge I throw down, and I hope it will be taken up by the Chief Secretary opposite. I do not count such expedients as the Evicted Tenants' Restitution Bill. I say that, outside the facile policy of spoliating landlords, I have not seen or heard from any one of those gentlemen any large or well-conceived plan by which the great mass of their countrymen might be elevated in the social sphere. If such a plan had ever been propounded by them, if any such plan had come from gentlemen below the Gangway, I say, without a moment's hesitation, that, whatever Party had been in Office, that plan would have been eagerly grasped at by every British statesman.

COLONEL NOLAN (Galway, N.): You have always refused it. The late Mr. Parnell introduced a Light Railways Bill, and you refused it.

MR. A. J. BALFOUR: Mr. Speaker, I shall modify the statement I have made. I go this length: that over and over again attempts have been made, crude and impossible, upon the purse of the British taxpayer, and in that sense gentlemen have always been ready to bring English money into Irish pockets. I am talking of a well-considered scheme, and I say boldly no such well-considered scheme, so far as I am aware, has ever been propounded by gentlemen below the Gangway, and such schemes as have been propounded could never have been carried out by Irish resources, and Irish resources alone. Before I pass from that let me say a word with regard to the attacks made upon what is called the centralisation of Castle government by the hon. Baronet the Under Secretary of State for Foreign

Affairs (Sir E. Grey), who, much as I believe he knows of Irish questions, knows very little of Irish Government. He has no need to know of it, and the attacks of the Attorney General, who ought to know something—attacks unworthy of gentlemen of their position, and which should have been left to third-rate politicians, who perambulate Ireland and who take at second-hand old wives' fables which, in my opinion, ought not to be used in this House by responsible politicians. Well, what is the centralisation of Castle government? Do the gentlemen who appeared to approve of the remarks about the centralisation of Castle government know anything about it? The police in Ireland are centralised, and, in my opinion, ought to be centralised. But, apart from the police, what is called Castle government answers, Department for Department, to the various offices which you preside over in Whitehall. Local government is not more centralised in Ireland than in England. The Board of Works is not more centralised. It is quite true that as yet there is no county government in Ireland on a representative basis. [*Laughter.*] Yes; but that does not make the government of Ireland centralised because, although the county government which does exist in Ireland is not popular, it does not depend upon the Castle. That is familiar to everybody who knows anything about Ireland. At this moment this Castle government, which you choose to denounce, is carried on by members of your own Civil Service elected in the same way as every member of the Civil Service is elected, and is modelled upon the same principles as the Civil Service of England and Scotland. I do not say that there are not minor differences; but this I do say: that to describe government in Ireland as centralised, and in England as not, shows great ignorance of the facts. I think even gentlemen opposite will be disposed to grant that we cannot expect from Home Rule the material advantages to Ireland which were so lavishly promised by Members below the Gangway. Still, they will say that Ireland is governed as much by ideas as by material facts, and that it is better that Ireland should be governed by her own ideas and live in poverty than that she should be governed by us and live in wealth. I am the last man in this House to under-rate the value

of ideas. I agree with those who think that these are things which cannot be ignored, but I do not agree with the hon. Baronet the Under Secretary of State for Foreign Affairs when he says that experience and history have shown that it is impossible for us under the Union to govern Ireland in a manner which will meet all the aspirations of that nation. The hon. Baronet, however, under-rates the magnitude of the task he has undertaken. He himself belongs to the school of politicians who talk of seven centuries of misgovernment by England. I take it from them that for the six centuries before the Union Ireland was brutally tyrannised over by England. If so, how can you cure in 93 years woes of such long standing? I do not talk of our intentions. Everybody admits they are good. ["No!"] Everyone but the hon. Gentleman who says "No." I ask not whether the intentions were good, but whether they have borne fruit, and I think any man who chooses to examine with impartial eyes any contemporary account of the condition of the peasantry of Ireland in the beginning, middle, and end of the last century will see that an incomparable improvement in their lot has been effected during the 93 years of the Union as contrasted with the corresponding class in England and Scotland. I believe the improvement in the condition of the working class in England has been immense, but I do not believe that it is to be compared with the progress made by the Irish working class, politically, socially, and materially since the Union. They have been endowed with civil and political rights, their material condition has been greatly improved, and, in spite of the famine by which Ireland was overwhelmed, and for which we were not responsible, I say that the improvement in Ireland, the contentment in Ireland, and the diminution in the causes of agrarian discontent in Ireland are such as in my judgment to clearly show that England and Ireland may be left to settle their own affairs without the meddling and muddling of politicians. One further question remains. If you are not by this Bill, as you cannot hope to be, placed in a position to improve the material condition of Ireland, who, at all events, are you going to satisfy by passing it? That is a very simple question. If you im-

prove Ireland in a material form by it, you may say that you will satisfy sentimental opinion. But whom are you going to satisfy? I will begin with the smallest class—a class who are not dependent on this House. You will not satisfy the Civil servants of Ireland at any rate. Henceforth every Civil servant in Ireland will know that Home Rule means to him the absolute destruction of every prospect in life. He may have been in doubt, he was in doubt before the Bill was brought forward as to that fact, but he knows now that he is not likely to have a Chief Secretary more devoted to his interests than the present Chief Secretary, and that he is not likely to have any statesman over him as his protector more anxious to see justice done than the right hon. Gentleman, and yet he knows that a Home Rule Bill formed under the auspices of that very Minister is one which puts an end absolutely to that career to which he had a right to look forward when he entered the service of this Imperial Parliament. Do you think you will satisfy the Loyalists? Whatever else has come out in these Debates, this at least has come out plainly—that not one single man who has been returned to this House by the Loyalist minority in Ireland has been reconciled to the measure by any change suggested or promised in it. Their hostility is as embittered as it ever was, and they know now, on the authority of the hon. Member for Govan, that they must rely for justice in future not upon the paper guarantees of the Bill, but on the strength of their own right arm. As the Under Secretary of State for Foreign Affairs has stated to-night, the Loyalists of Ireland, whether in Ulster or in the South-West, must rely upon that for the protection of their dearest interests. You may say that though you do not satisfy the Civil servants, or Constabulary, or the Loyalists, you have satisfied the Nationalists. I have heard speeches delivered in this Debate by hon. Gentlemen below the Gangway who represent Nationalist opinion, in which they have expressed themselves perfectly satisfied with this Bill as a final settlement of the question. But there was one exception to this. The hon. Member for Waterford (Mr. J. E. Redmond), speaking for an important section of Nationalists, has told us that it is absolutely impossible

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that the Bill could be regarded as a final settlement of the question by the Irish nation. His view is that though we give to Ireland by this Bill more money than she has a right to, though we hand over the lives and property of the minority who depend on us, and though we even hand our own local affairs to be managed by an Irish delegation, we still have not done sufficient, and that when the Nationalists reach the height of their demands this Bill will be found insufficient, and they will ask for more. I am disposed to believe that the hon. Member for Waterford is pretty correct in this. You have established in Ireland by this measure all the ponderous machinery of national government, and it is perfect folly for you to suppose that you can prevent that machinery having full play. You have imposed restriction upon restriction by the Bill; out Ireland looks upon itself as a nation, and you have encouraged it to do so, and having given it the machinery for national government you may be certain that not one of these restrictions is worth the paper it is written on. I am perfectly aware that other gentlemen take a different view, and that the hon. Member for North Longford and the hon. Member for East Mayo have pledged themselves with a splendid recklessness not only for Ireland, but for the whole of the Irish race across the seas. I do not attack the credibility of those gentlemen, but we have to compare their utterances now with their utterances in the past. They are sincere now; they were sincere then; and the question is which of those two forms of sincerity is likely to be the more permanent, which represents the real opinion destined to last? On that I refrain from dwelling. I will only say that whilst they have acted consistently year after year upon their old opinions, their new opinions are the growth of a few hours, and may perish in a similar period. Well, if you have not satisfied Nationalist opinion, have you satisfied British opinion? The Chief Secretary for Ireland at Newcastle was very angry with us for talking about British opinion. [Mr. J. MORLEY dissented.] And his indignation, real or assumed, has been copied by many gentlemen on the Treasury Bench. I am not going to

justify this talk about a British majority, because it has been effectually dealt with by my right hon. Friend opposite; and it does not lie in the mouth of gentlemen who wish to talk about a Welsh majority, a Scotch majority, and an Irish majority to condemn us for talking about a British majority. The Under Secretary of State for Foreign Affairs said to-night—

“You talk of your British majority and you have it, but what right have you to suppose that that majority is not in process of being still further converted to Home Rule? In 1886 there was a majority against Home Rule in Great Britain; there is a majority against it still, but it is a largely reduced majority. There is evidently, therefore, a growth of opinion, and in the long run the British elector will come round to the opinions already held by the Irish elector.”

That argument is ingenious, but it will not hold water. What were the circumstances in 1886? The whole Liberal Party were asked to execute a *volte face* at a moment's notice. The capacity for that particular evolution differs with different individuals. It is immensely developed in some quarters, in others it shows but a slight development, and when the Election of 1886 took place there were still some Members of the Liberal Party who were stupid enough to hold to the opinions in which they had been brought up, stupid enough to believe that what every British statesman—the Prime Minister included—had said until 1886 represented, after all, a fair Liberal policy, and who therefore, for the moment, were not prepared to follow their Party these lengths. The process of conversion in their case was slower than in the case of the Chancellor of the Exchequer, for example; but it has taken place, and Party discipline has shown itself stronger than ancient convictions, or even reasonable argument. But why are we to suppose that that process is going on? I admit it took place in 1886 and 1893; but, surely, it has come to an end now, and as far as I can judge the signs of the times—I do not go by bye-elections, or regard them as a perfectly true index of the feeling of the country, and I do not wish to overrate them—but, as far as I can judge by any signs of the times which have come to our notice, the feeling of Great Britain—which, after all,

is one of the parties to the Treaty of Union—is getting more and more adverse to a plan by which they feel that their dearest interests will be sacrificed. If you have pleased neither the Loyalists nor the Nationalists, nor the British public, have you pleased the House of Commons? The House of Commons, I suppose, is going to vote for the Third Reading of this Bill. But I am sure there is not a single man who feels the force of Parliamentary tradition who does not look back upon this Session with regret, as the moment in our Parliamentary life when we can distinctly trace and note the beginning of a decadence, and when it became clear for the first time that this House is not in the future to be what it has been in the past. The House of Commons, at all events, will not look back upon our proceedings with pleasure, whatever view may be taken of the particular measure before us. So far as I can judge, there is but one body of men in the whole country who have reason to congratulate themselves upon the part you are compelling them to play—that is the House of Lords. The Attorney General filled up his speech with a certain amount of criticism of the Tory Party as being the Party that had invariably resisted reforms desired by the people. I think myself that that is a shallow view of history, but I will not dispute it now. However, it must be a gratification to the learned Gentleman to feel that at last the Tory Party have the people on their side, and that there is not an elector in the whole breadth of Great Britain who will not feel, after the proceedings of to-night and the proceedings of next week, that if he has to look anywhere for the discussion of matters nearest to his heart and for the protection of interests which he holds to be vital it is not to the Chamber which he has done something to elect. These, after all, are facts which do not depend upon opinions. They depend upon statistics, and it is a mere question of arithmetic as to whether the House of Lords, in any action they may take next week, will or will not back up the majority of the Representatives of Great Britain. That is not a question of opinion; it is a question of fact. I say that by your insane action you have

done more than a hundred Tory Governments to demonstrate the necessity for the House of Lords and the part it may play as the bulwark of the interests and greatness of the Empire. Well, Sir, I have already detained the House far longer than I intended, and, considering how often I have addressed it during the last seven months, I have been ashamed of this invasion upon their patience. I will only say, in conclusion, that the right hon. Gentleman the Chief Secretary reproached me with expressing a desire to destroy the Bill. Well, Sir, I have desired it, and I feel that we have accomplished it. You may pass this night, by what proportion of the 670 Members of this House I know not, the Third Reading of this measure. Every man who votes for this measure to-night knows that he is endeavouring to put life into that which is dead. Never again can you come before the constituencies of the country, and with all the mist of ingenious rhetoric pretend to them that you can give to Ireland everything she wants and to subtract from Great Britain nothing which she cherishes. This Bill has brought you into the open. Every elector will now know what the grant of Home Rule involves to him—a diminution in the authority of this House, a diminution in the security and unity of the Empire, a diminution in the safety of those in Ireland to whom his honour is so deeply pledged. Every elector must now know, and will know, that in the management of his affairs will mingle the voices of 80 irresponsible Members from Ireland, of 80 gentlemen not belonging in any full sense to our political system, not bound by our traditions, not looking forward to the same object; and every elector will know that in order that he may obtain a questionable privilege he must give up everything that his fathers cherished, everything he was taught to revere, and that he must throw upon himself a perfectly unnecessary and superfluous burden of taxation. Do not tell me that if this Bill be Home Rule—we know it to be Home Rule now—that Home Rule will ever commend itself to the views of the majority of the British people. I have reason to coincide in the opinion expressed by a

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subordinate Member of the Cabinet. [Mr. W. E. GLADSTONE : Of the Government.] I mean of the Cabinet—the head of the Board of Works. [Mr. GLADSTONE dissented.] Well, I will say a man of equal authority to the Prime Minister, who stated in 1892 that a measure like that of Home Rule ought to be carried by a large majority; that it was a Constitutional change which ought to have in its favour a large majority of all the Representatives of all the four countries; and who stated that he would never be satisfied unless they had that majority in England, and in Scotland, and in Wales, and in Ireland, which would justify them in saying that the majority of the people of all parts of the United Kingdom were in favour of this great Constitutional alteration. It has been my misfortune to differ from that important Member of the Cabinet on many different occasions. Allow me to express on this occasion my heartiest agreement with him, and let me indulge in the prophecy, as prophecies are fashionable, that until that comes about, and until England and Scotland, the great contracting parties with Ireland in the Treaty of Union, are satisfied that the dissolution of that Union is for their best interests, that dissolution will never take place.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : Mr. Speaker, the right hon. Gentleman wound up his speech by expressing his satisfaction that as a result of all these prolonged Debates they have drawn us into the open. I have observed in the course of these Debates more than once that it does not follow, because a subject is very important, that therefore the speaker should make a very long speech upon that subject, and it is not my intention to detain the House very long to-night. But when the right hon. Gentleman says that he has brought us into the open, I can only say that I for one greatly rejoice at the issue which on this stage of this great controversy is to be decided to-night; and I do not think after that issue is stated to the country, with all the light which the right hon. Gentleman and his allies and confederates have brought to bear upon it, that we have anything to lose. It is a new thing in one who has been himself Leader of

this House, in one who has taken a great and important part in the discussions of this House for the last six or seven years, that he should now appeal from the authority and from the decision of the Representative Chamber, should make naught of that, and should appeal to a Chamber which is non-representative. I can understand that on the great controversy of Irish government there may be differences of opinion, and that this may be an issue on which the country may have searchings; but as to the question whether, after the legitimately constituted majority of this House has pronounced its verdict, that verdict should be over-ruled by a non-representative House we have no fear. I will travel as briefly as I can over the points raised by the right hon. Gentleman. He found some fault with me because I had accused the confederate Opposition of bad faith in the Debates which have taken place since the Bill was first introduced. He began by noticing that certain figures had been produced by various speakers in which all of us seem to agree, and that this seems to indicate some plot on our part. We have those figures in our favour, because they all emanate from the obvious source of the true facts of the situation. I do not say in the country what I am afraid to say in this House, and I repeat here what I have said before—that the opposition to this Bill has been an opposition conducted in bad faith. I do not for a moment say that the right hon. Gentleman who has just sat down, and many of you, and many of the Gentlemen behind (the Liberal Unionists) are not absolutely sincere in your aversion to Home Rule; but I say, from a Parliamentary point of view, this discussion has been an insincere discussion, a hollow discussion, a discussion in bad faith. The House declared it was expedient that a Legislature should be set up in Ireland for the peace, order, and good government of that country. If you had been discussing a Bill resting on that foundation in good faith you would have made Amendments, of course, and you would have, I quite agree, done your best to overthrow the Bill; but that has not been the conduct of the Debate. What did the hon. and gallant Member for North Armagh (Colonel Saunderson)

say? That by resort to the Closure we were subverting the very foundations of the British Constitution. But my hon. and gallant Friend made a very interesting declaration on that subject which sheds a great deal of light upon the question. The hon. Member said in some speech in the country—

“We detest this Bill; we shall obstruct this Bill; the Government may tax us with obstruction”

—those are his very words—

“as much as they like; in a case of this kind obstruction is patriotism.”

That is an aphorism. I will make him a present of another—Where obstruction is patriotism Closure is patriotism. The House assented to the proposition that it was expedient that the Irish Legislature should make laws for the order, peace, and good government of Ireland, and then you began to whittle it all away with a view not to amend the Bill, but to destroy the foundation upon which the Bill rested. I submit I was absolutely justified, and we are absolutely justified, and shall be, in charging hon. Gentlemen opposite, and their confederates, with conducting these 82 days' discussion on this Bill in a spirit which has never before marked our Parliamentary Debates. There has been resistance before, but there has never been resistance of this kind; where you endeavoured to smother, to choke, and to extinguish every principle on which the House has agreed, and which the great majority wish to see carried out.

COLONEL SAUNDERSON: There never was such a Bill before.

MR. J. MORLEY: Of course, for the purposes of the moment, it answers very well to say that this is a gigantic measure, and that it contains a thousand Bills. One would suppose that this Parliament had never before granted local self-government to any one of the Colonies. I do not under-rate the importance of our proposal; but when the right hon. Gentleman says that this has been an honest, a relevant, and an earnest Opposition, we do not believe a word of it. The right hon. Gentleman says—“What is the gain to Ireland by this Bill?” He admits that, in Parliamentary ability and Parliamentary knowledge, hon. Gentlemen below the Gangway show a competence in which they have scarcely any superior,

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and not many who are their match. Then he says—

“Where is there any sign in all the parts they have taken in the discussions in this House during the last 10 or 12 years of a plan for dealing with Ireland that would recommend itself to any economist or any statesman?”

I do not know what the right hon. Gentleman means by a plan, but this I do know, that since 1880 hon. Members below the Gangway have been pressing upon Liberal Ministers and upon right hon. Gentlemen opposite a series of suggestions which, in the long run both by gentleman here and gentlemen opposite, have been accepted, and without which Ireland to-day, I do not scruple to say, would be ungovernable. Does the right hon. Gentleman expect hon. Members below the Gangway, without responsibility and without official knowledge, to produce some Utopian scheme for the regeneration of their country? It is not possible; it is not reasonable. He cannot expect it. Can he look back to his own experience. I will give him one case, and one case only, the case of the Revision of Rents Bill of 1886. The right hon. Gentleman opposite withstood that proposal which was pressed upon him. [MR. A. J. BALFOUR: I did not.] The right hon. Gentleman says he did not resist it; but I will undertake to say, within one month of the passing of that Bill, he said it was an inexpedient and immoral measure which could not be reconciled with common honesty. The Conservative Prime Minister in the other House up to the very eve of the passing of that Bill denounced it, and the right hon. Gentleman himself sitting here declared that it would be most dishonest, inexpedient, and immoral to accept the proposal which hon. Members below the Gangway pressed upon him, but he was bound to and did accept it. Take the Land Act of 1881. It was a great measure, but nobody—I doubt if even the right hon. Gentleman himself, who has watched the working of that Act—can deny for an instant that it would have been a far more effective measure if the suggestions of hon. Members below the Gangway had been accepted by the Ministry of that day. The right hon. Gentleman does not think so, because he objected to the Bill altogether. Then the right hon. Gentleman made some re-



marks upon Dublin Castle. He taxed my hon. Friend the hon. Baronet who has made so admirable and interesting a contribution to our Debate this evening with using strong language about the Castle. The right hon. Gentleman said—"Oh, that is the language of third-rate politicians who go perambulating about the platforms of the country showing their ignorance about Ireland and Irish affairs." Who is the third-rate politician? It is no less a person than my right hon. Friend the Member for West Birmingham. It was he who, in 1885, declared Dublin Castle to be an irritating anachronism. I do not wish to pursue that subject further, but I must say that it is very awkward for us, who have to thread our way through the mazes of the present Parliamentary situation, to find two coadjutors using this kind of language of one another. The right hon. Gentleman asks, How can you cure? He admits, for the sake of argument, that for 600 years, more or less, the government of Ireland by this country was not a blessing, but something like a curse, and he says, How can you cure in 93 years the evils that grew up in 600 years? But how many of those 93 years were years of improvement? Take one case of which he will understand the significance. In 1843 there was the Devon Commission, which made that terrible Report as to the condition of Ireland. And what was done? Nothing at all. True, in 1848 or 1849 the Encumbered Estates Act was passed; but that Act, as the House by this time is aware, did a great deal more harm than good. It was the result of what the Prime Minister has called "the heedless and unreflecting good intention of this Parliament;" and that Act is one of the best arguments in favour of the Bill now before us. I suppose there are no two men in this House who agree more than the right hon. Gentleman and I do in our perception of the difficulties of Irish government. We have both—if he will allow me to join him with myself in this matter—endeavoured to look at these difficulties with a clear gaze. Napoleon said that he hated a general who made pictures. He liked a general who looked through a field-glass and saw things as they were. And the right hon. Gentleman and myself have both of us endea-

voured to see things as they are in Ireland. He has had great experience of Irish government, and I have had some, though much less. In diagnosis of Irish maladies there is, I fully believe, considerable agreement between us. It is when we come to remedies that we disagree. That is what I felt all through the course of the right hon. Gentleman's speech, and it is what I feel every time he speaks on this subject. Our disagreement can be stated in a sentence. The right hon. Gentleman is for a persistence in the conditions which have produced that state of things now baffling and confounding us. I and those with whom I have the honour to act are in favour of a resort to those conditions, those maxims, and those principles of government which the English-speaking race have tried all over the globe, and have never tried without finding in them healing and a remedy. The right hon. Gentleman says, "You do not satisfy the Civil servants." That is a matter, Sir, which I feel strongly about. If the right hon. Gentleman himself were to come into Office with a different Irish policy to his old Irish policy, that he felt would go to the root of the matter, he would have to reorganise the Civil Service of Ireland. Whether he would do it on more generous and liberal terms than we have devised and proposed I very much doubt. Then we had from the right hon. Gentleman, as we had from the right hon. Gentleman the Member for West Birmingham the usual argument about finality. But I, for my part, never claim finality for any solution of any large and deep-rooted political question. There is no such thing; and I should like if it were not too late to quote some most wise and sagacious words of my right hon. Friend the Member for West Birmingham in 1885, when he declared that finality was out of the question in practical politics. So far as I can make out, all politics are an affair of second best; you do not get perfect ideal solutions. All that we contend for our proposals to-night is that they open a new way in regard to Ireland, but an old way in regard to our own experience over the whole field of our self-governing Empire. In every part of that Empire where there is self-government the principles on which we

rely as the foundation of this Bill have been a uniform and a great success. It is quite true that my hon. Friend the Member for Waterford—whom I, for one, always listen to with interest and respect—said that there was nothing approaching to finality in our proposal.

MR. J. E. REDMOND : I did not say there was nothing approaching to finality. I did not use those words.

MR. J. MORLEY : I shall be very glad to draw from my hon. Friend a limitation of the proposition which the House, I think, understood him to lay down, and which was used by my right hon. Friend the Member for West Birmingham and the right hon. Gentleman opposite in the course of their arguments.

MR. J. REDMOND : What I said on the question of finality was this : that in my opinion this Bill could not be regarded as a final settlement, because no partial concession of autonomy could in the nature of things be final ; that this concession was in the nature of an experiment, and that if it was successful no doubt the Constitutional liberties conferred would increase and develop ; but if, on the contrary, it was a failure, those Constitutional liberties would be narrowed or destroyed, and in that sense I said this Bill was not a final settlement.

MR. J. MORLEY : I, for my part, understood my hon. Friend to go much further than the line he has now traced ; and, so far as that declaration and enunciation go, I do not believe any reasonable person can find fault with it.

MR. J. REDMOND : Those are the exact words I used.

MR. J. MORLEY : I was referring less to the exact words used by my hon. Friend than to the interpretation put upon them by many Members of the House, including the right hon. Gentleman the Member for West Birmingham.

MR. J. CHAMBERLAIN : I beg to say that I gave no interpretation. I quoted *literatim et verbatim* the words of the hon. Member.

MR. J. MORLEY : I was dealing with the argument which my right hon. Friend based upon the quotation. My right hon. Friend says that the Member for Waterford represents the most active element in the agitation both in Ireland and the United States. I do not know how far that is true ; but I submit with great

confidence to the House that if it be so—I do not believe it is—the strongest bulwark that you can set up against these active elements, so far as they are mischievous—and everybody knows what I mean by that—whether in Ireland or across the seas, is such a Legislature and such a system of government as we propose to confer on Ireland, and such as gentlemen sitting round him have accepted. Sir, let me go to the argument the right hon. Gentleman used on another point. The right hon. Gentleman seemed to think I was very angry at Newcastle because of some remarks I made upon this leaning upon the argument of a British majority, and he said—“British majorities ! Oh, there have been wonderful evolutions in the relation of English Parties to the Irish Nationalist Party !” That is quite true : and when I have been listening to these prolonged Debates of 80 days ; to the language used about Irish Members and their sense of political honour and morality ; upon my word, when I look back upon the political transactions of the past seven years, I think gentlemen from Ireland might very well retaliate upon gentlemen from England, and point out to them that their standard of political honour and morality is at least as high as theirs.

MR. A. J. BALFOUR : The right hon. Gentleman has rather mistaken me. I attacked nobody's political honour ; but if I attacked the political honour of anyone, it was not that of hon. Gentlemen below the Gangway.

MR. J. MORLEY : But in attacking the honour of gentlemen who sit on this Bench, I think he must have forgotten the history of his own Bench. If there were by chance an Irish Mephistopheles sitting below the Gangway, what food he would have for enjoying his own arts and views on human nature, if he reflected upon the machinations of the Conservative Party. [MR. A. J. BALFOUR : When ?] Has the right hon. Gentleman—have you forgotten the October of 1885 ? You think that is all past and gone. Have you forgotten Lord Salisbury's speech when he declared that he was musing in a disinterested spirit upon the possibility of an Austro-Hungarian Union as applied to Ireland, and in a kind of abstract way—which I can imagine the right hon. Gentleman himself employing—medi-

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tating that boycotting was the Irish version of mediæval excommunication?

MR. A. J. BALFOUR: Of course I have no right to interfere on behalf of Lord Salisbury, and I am not responsible for Lord Salisbury's words, but in the words which the right hon. Gentleman has put into his mouth he has entirely misquoted him.

MR. J. MORLEY: I do not carry all Lord Salisbury's speeches about with me, but I will undertake to say—and hon. Gentlemen will do me the credit of believing that I try to quote correctly—that I am not misquoting him by a jot. It is a *locus classicus*. Why, I see sitting opposite to me, next to the Leader of the Opposition, the ex-Chancellor of the Exchequer. Did he or did he not taunt the Tory Party of that day, of which he is now a Member, with that utterance of Lord Salisbury?

MR. GOSCHEN: My right hon. Friend remembers my speeches better than I do. I have no recollection of it.

MR. J. MORLEY: I leave the right hon. Gentleman the Leader of the Opposition to settle it with another of his coadjutors.

MR. GOSCHEN: The Prime Minister always exacts from us, when we quote him, that we should give the exact words, and my right hon. Friend should have provided himself with extracts from the speech. I do not remember it.

MR. J. MORLEY: I believe that my right hon. Friend used the word "coquetting." Of course I may have been mistaken with regard to Lord Salisbury, but I think Lord Salisbury's words were as I have quoted. At all events, I will venture to say, with all Parliamentary certainty, that my right hon. Friend opposite did make it an article of charge against the Tory Government of that day, that they were coquetting with these traitors and rebels sitting on the Irish Benches. I am all for letting bygones be bygones, but I really think that you ought not so rapidly to forget your own past. You have taunted us during these 82 days with our tergiversations. Do not forget your own. Now, Sir, I will proceed to deal with one or two other points if the House will bear with me. Last night the right hon. Member from South

ruption—that  
prolonged for as

▲. [FOURTH SERIES

Tyrone—[Hon. MEMBERS: Not "right hon."] Well, not yet. The hon. Member taunted me with carrying out the behests of clericalism and sacerdotalism. He said here I sit to carry out the behests of clericalism and sacerdotalism. Sir, no one knows better than the hon. Member who used that language last night that it is not true. There are more kinds of clericalism in Ireland than one; and from what I have heard of the Tyrone Election, what Milton said is still true—that "new presbyter is but old priest writ large." My answer to that taunt is that, in my judgment, there is no surer bulwark against what is illegitimate in the pretensions, or claims, or practice of a Clerical Order so far as it is illegitimate and outside the spiritual sphere, than a lay, political, secular, national authority. A much more interesting speech than that of the hon. Member for Tyrone was that of the right hon. Gentleman the Member for Dublin University (Mr. Plunket). That speech was marked by a fine and touching eloquence. It was marked by what I do not dispute for a moment—love of country. But what country? That speech, I can well suppose, made a deep impression upon the House, because the right hon. Gentleman has never played for Party or factious purposes with the Irish Question. But what country? Sir, I cannot help saying, with all respect to the right hon. Gentleman, that the country he loves is the Ireland of the ascendancy. That is the Ireland to which all his attachments, honourable and moving as they are, cling. This is not merely a personal argument. You have here the very best spokesman the Conservative Party could have from Ireland. And what was that eloquent, moving speech of his yesterday, from first to last? What was it? It was a vast, bitter cry on behalf of the landlords. It was a narrow view. He is sitting next a right hon. Gentleman (Mr. Jackson) who was once Chief Secretary for Ireland, and I do not think he will agree with the right hon. Member for the University of Dublin in the doctrine and position that the Irish landlords constitute the people of Ireland as to whom only, or principally, we need concern ourselves.

MR. D. PLUNKET: I never said a word of the kind.

**MR. J. MORLEY :** It is quite true that the right hon. Gentleman did not put it in that way ; but I listened to his speech, and I understand what he means, and that speech from first to last was a speech upon the attitude of the Government upon the Land Question, and a plea on behalf of the landlords.

**MR. D. PLUNKET :** I am unwilling to interrupt the right hon. Gentleman, but what I said at the beginning of my speech was this : that I would not impose upon the House any speech upon the subjects which I had before had an opportunity of dealing with in Debate, but that I did insist upon having some explanation upon that one subject as to which we had not been able to extract one word of explanation from the Government.

**MR. J. MORLEY :** The whole point and substance of the right hon. Gentleman's speech was a plea for the landlords. I go with him. I am now just as adverse to being a party to permitting any injustice to the landlords as I have ever been. The right hon. Gentleman's whole speech made out that the possibility of injustice to the landlords was the great and substantial objection to our policy. I do not mean to say for a moment the right hon. Gentleman has not other objections. He said Parliament has been doing its best for 70 years. I have already said in answer to the Leader of the Opposition that Parliament has by no means been doing its best, and that it was not until 1870 that my right hon. Friend the Prime Minister took up this question that anything serious was done, and even that was only a nibble at the fringe of the question. Therefore, it is a mere delusion to say that for 70 years this Parliament has been freely dealing with the Irish Land Question and endeavouring to reform the Irish land system. I do not know how many of these reforms, of which the right hon. Gentleman is now so proud, and which he makes the foundation of his case for the retention of the power by this British Parliament over the whole government of Irish affairs, he and his Party have supported. I do know how many have been resisted and have been deferred by his Party in another place. I do know that resistance

and procrastination have robbed all these remedial measures of which he boasts of all their efficacy. The right hon. Gentleman talked of the power of the Land League. The Land League was the terrible result of these blind, these heedless, these selfish delays, for which the right hon. Gentleman and his Party here and in another place are mainly responsible. Sir, nobody has been clearer in sight than the right hon. Gentleman. In 1884, in this House, in a speech that all who heard it will always remember, he presented to the House his fears and his prophecies that the extension of the franchise which Parliament then was going to concede to Ireland would lead up to and would precipitate the demand for the establishment of a separate Irish nationality. He knew very well what that extension of the franchise would lead to, and he warned the House against it. That was consistent in him. But does he not now see, and do not those who are affected by his great eloquence see, that he is the soldier of a lost cause? The hon. Member for Tyrone last night talked about their being the last outpost of danger against the aboriginal inhabitants of Ireland.

**MR. T. W. RUSSELL (Tyrone, S.) :** I did not use the words. I made a quotation from Lord Macaulay's history in which they occurred, but I never applied them myself.

**MR. J. MORLEY :** I admit it shows a want of literary tact on my part, but I really did not know where Macaulay ended and the hon. Member began. I will pass over some topics which, if there had been more time, I would willingly ask the House to listen to me upon.

**AN HON. MEMBER :** Clause 9.

**MR. J. MORLEY :** The Leader of the Opposition (Mr. A. J. Balfour) talked about the great Reform Act. With what he said as to the scope and purport of it I am afraid I cannot agree ; but one circumstance about the passing of it is worth a minute or two. This Debate has been a Debate of prophecies. In intervals of this Debate I have looked at some of the prophecies about the Reform Act. Let them be a warning to some gentlemen sitting opposite as to the view



that perhaps will be taken in the House 30 or 40 years hence, and how their prophecies will be quoted as being just as great examples of absurdity and folly, because they are the same prophecies. One Member said—

“Before 10 years have passed away, all the institutions of the country would sink under the effects of the measure. The Reform Bill was like the plan of Cromwell for the assassination of the Monarch and the destruction of the Peerage. The Peerage enjoyed its rights under an instrument granted under the Great Seal. The Bank of England, the East India Company, the Corporation, all existed under Charters, and all of these would be reached by the mischievous principle now promulgated, which left no safety for monied interests, landed interests, the Peerage, or the Church.”

I commend the last passage of this prophecy to my right hon. Friend the late Chancellor of the Exchequer (Mr. Goschen)—

“He who broke into and bore away the archives of the Town House”—which means destroyed the rotten boroughs—“would not hesitate much about plundering a cathedral.”

Sir, the House of Commons to-night takes a step which can never, never be retraced. At the end of seven-and-a-half years of incessant controversy and passionate conflict this branch of the Sovereign Legislature of the Realm, freely chosen, popularly representative, and virtually supreme, passes a Bill which grants to Ireland a Legislature with power to make laws for the peace, order, and good government of that land in the future. This great affirmation can never be cancelled and never recalled. Let them do what they will in other places to delay, to resist, to obstruct this solemn declaration. [*Laughter.*] Well, you may laugh; but it is a solemn declaration. Try to undo it if you can—[*Cries of “We will!” and “The country will!”*—but do not deny—[*Interruption.*]

\*MR. SPEAKER: Order, order!

MR. J. MORLEY: Do not deny that the fact that this Representative Chamber passes this solemn declaration is a very solemn fact. [*Cries of “The gag!”* “The gag!”]

MR. SPEAKER: Order, order!

MR. J. MORLEY: Do you suppose—I note that interruption—that if the Debate had been prolonged for as many

months as it has filled weeks; do you suppose that the Bill would not at the end of the time have been passed just as it will be passed to-night? We may have been right or we may have been wrong in the Closure; but who in his senses really can contend that, at the end of the discussion, if it had been 120 day instead of 80, the Bill would have been read a third time? [*Cries of “No!”*] Gentlemen above the Gangway are beyond the reach of argument. Nevertheless, I submit, even to them, that this solemn declaration constitutes a recognition of the national demand of Ireland—constitutes the giving of a promise which can never be taken back. Sir, whatever may be the immediate future of this Bill, to the ultimate future of the Bill, to the cause, we at least look forward with hope invincible and with confidence that cannot quench. We have had during these seven years long, toilsome, and harassing marches under skies that were sometimes starless. We have had many dark moments, which were not only dark but tragic. But we have had an indomitable and unfaltering captain. We have had a great band of comrades in this House, and out of it, who have “scorned delights and lived laborious days,” and whose courage, whose patience, whose tenacity, whose faith bear witness to the awakened conscience and mind of England as to the case of Ireland. Whatever may happen, there is a Party in Great Britain who have made up their minds that Ireland shall no longer be the sport of an aimless destiny; that she shall no longer be the cockpit in which English factions choose to fight out their battles. Let us for to-night—we at least on this side of the House, aye, and even gentlemen opposite—let us raise ourselves above the mire and the confusion of ephemeral faction. You, Sir, in a few minutes will declare this Bill to have been read a third time. When you have made that announcement it will be felt by this time to-morrow that wherever the Irish race toils, and hopes, and yearns, wherever Englishmen and Scotchmen are weary of the inveterate stain on the fame and honour of their country—it will be felt that we at least have taken a decisive step towards the true incorporation of Ireland in a United Kingdom.

COLONEL NOLAN (Galway, N.) said, he did not think the Debate ought to close without some protest against the Financial Clauses of this Bill. [*Cries of "Oh!"*]

\*MR. SPEAKER: Order, order!

COLONEL NOLAN said, Ireland had been extremely badly treated under these Financial Clauses. He made out that altogether the loss to Ireland under the Bill would amount to £3,290,000. The effect of the Financial Clauses would be to stereotype the bad and unjust financial system which had been pursued towards Ireland for many years. They would not be much better off than they were at the present time. Ireland had been robbed in the past. She would be neither better nor worse off under the Bill than at the present moment, and he considered it his duty to protest, even at that late hour, against the perpetuation of the injustice that had been inflicted in the past.

Question put.

The House divided:—Ayes 301; Noes 267.—(Division List, No. 285.)

Main Question put, and agreed to.

Bill read the third time, and passed.

#### DEATH CERTIFICATION.

Report from the Select Committee brought up, and read.

Report to lie upon the Table, and to be printed. [No. 402.]

Minutes of Proceedings to be printed. [No. 402.]

#### METROPOLIS MANAGEMENT (PLUMSTEAD AND HACKNEY) BILL.

Reported from the Select Committee.

Report to lie upon the Table, and to be printed. [No. 403.]

Minutes of Proceedings to be printed. [403.]

Bill, as amended, re-committed to a Committee of the whole House for Monday next, and to be printed. [Bill 455.]

#### MESSAGE FROM THE LORDS.

That they have agreed to,—Amendments to — Blackrock and Kingstown Drainage and Improvement Bill, without Amendment.

Contagious Diseases (Animals) (Swine Fever) Bill, with Amendments.

That they have passed a Bill, intitled, "An Act to remove doubts as to the applicability of the Church Building Acts and New Parishes Acts to the Isle of Man." [Isle of Man (Church Building Acts) Bills [*Lords*].

#### ELEMENTARY EDUCATION (RELIGIOUS INSTRUCTION) BILL [*Lords*].

Read the first time; to be read a second time upon Friday next, and to be printed. [Bill 456.]

#### BANKRUPTCY ACT, 1883 (PROCEEDINGS).

Account presented,—showing Receipts and Expenditure on account of Bankruptcy Proceedings during the year ended 31st March 1893 [by Act]; to lie upon the Table, and to be printed. [No. 396.]

#### COMPANIES (WINDING-UP) ACT, 1890.

Account presented,—showing Receipts and Expenditure on Account of proceedings under "The Companies (Winding-up) Act, 1890," during the year ended 31st March 1893 [by Act]; to lie upon the Table, and to be printed. [No. 397.]

#### HIGH COURT OF JUSTICE AND COURT OF APPEAL, &c.

Account presented,—showing Receipts and Expenditure during the year ended 31st March 1893 [by Act]; to lie upon the Table, and to be printed. [No. 398.]

#### LAND REGISTRY.

Account presented,—of Receipts and Payments for the year ended 31st March 1893 [by Act]; to lie upon the Table, and to be printed. [No. 399.]

#### EAST INDIA (CANTONMENT) ACT.

Copy presented,—of Report by a Committee appointed by the Secretary of State for India to inquire into the Rules, Regulations, and Practice in the Indian Cantonments and elsewhere in India, with regard to Prostitution and to the treatment of Venereal Disease, together with Minutes of Evidence and Appendices [by Command]; to lie upon the Table.

House adjourned at five minutes after One o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 4th September 1893.*

Several Lords took the Oath.

SAT FIRST.

The Lord Elphinstone, after the death of his father.

ENDOWED SCHOOLS ACTS, 1869, AND  
AMENDING ACTS, AND WELSH INTER-  
MEDIATE EDUCATION ACT.

MOTION FOR AN ADDRESS.

\*THE BISHOP OF CHESTER moved—

“That an humble Address be presented to Her Majesty praying her to withhold her assent to the following portions of the Cardiganshire Intermediate and Technical Education Scheme:—Page 10 (Clause 48), lines 29 to 37 inclusive; pages 16 and 17, the whole of Part VII., namely, the whole of page 16 and also page 17, down to the end of line 27.”

He said that, though the matter to which he was calling their Lordships' attention was in one sense trifling, it raised an important question. The scheme affected only a sparsely-populated district in Cardiganshire, containing not more than 8,000 inhabitants, and it involved very little in money or even *status*; but it involved principles of justice, religious liberty, and respect for the rights of conscience. The scheme provided no county school for the Lampeter district. There was already a good school there, largely attended by the sons of Nonconformist parents, but it was connected with St. David's College, and the Education Committee had determined that boys from the Lampeter district who won County Scholarships should not be allowed to go to the school connected with St. David's College, but must go either to Aberystwith, Aberaydon, or Cardigan. In the next county, Carmarthenshire, there was also a flourishing school—Llandovery—and the authorities had wisely determined that it might be attended by boys winning County Scholarships. Referring briefly to the growth of this school, after the Report of Lord Aberdare's Commission was issued, the authorities of St. David's College had to consider what their attitude would be as affecting both

primary and intermediate education in Wales, and the first plan upon which they corresponded with Lord Aberdare was to transplant the College to the little City of Llandaff, which had Cardiff at its doors, the object being to have the two Colleges close together in order to gain the advantages afforded by proximity. Lord Aberdare, and others who were consulted, considered the proposal favourably. Though they were all in sympathy with the proposal, it had to be abandoned, owing to insuperable practical obstacles. That showed what the attitude of Lampeter had been towards the University. An endeavour was then made to develop St. David's College at Lampeter, and among other things a College School was founded with the aid of friends and members. The Lampeter school adopted from the first a remarkable Conscience Clause, proposed by Lord Aberdare's Commission, which required that every parent should choose for his son whether he should or should not have religious instruction, thus placing the brunt of responsibility on the parents. In 1885 the school contained boys whose parents belonged to the six principal Nonconformist denominations, and to-day all but Roman Catholics were represented. There could be no doubt about the efficiency of the school, and yet the scheme deliberately deprived the ratepayers from taking advantage of this school close to their doors. The cost of education was greatly increased when a parent had to send his boy to a distant school as a boarder. In Carmarthenshire quite a different plan had been adopted, and he failed to see any reason which applied there specially as against Cardiganshire. It might be said to be now too late, and that if this clause were struck out of the scheme the House would be obstructing the course of intermediate education in Wales; but the real obstructionists were surely they who had introduced a narrow-minded and unjust restriction into this scheme. The Lampeter County Council, the Lampeter School Board, and the Lampeter Board of Guardians had each petitioned against the scheme as “unjust and injurious”; and if their protest was rather late, it was because they thought that more equitable terms were to be offered to the neighbourhood by the Charity Commissioners or the Education

Department. The Charity Commissioners did, in fact, propose an alternative scheme, which would permit parents to send their children to Lampeter School if it were brought within the Endowed Schools Act; but that scheme could not be accepted by the College Authorities until they had seen it, for the school was in the grounds of St. David's College and was maintained largely by the College funds. It was absolutely necessary, therefore, that the College should know what the scheme was going to be before they could accept it. It was suggested by the Vice President that the difficulty might be met by a supplemental scheme; but it was better to prevent than to cure injustice, and Parliament ought not to allow a scheme which committed flagrant and acknowledged injustice to go out with its *imprimatur*. The success of this Motion need not entail any delay, for that part of the scheme dealing with the Scholarships would be alone stayed, and the rest could go forth. He thought at first that certain words in Clause 84 obviated the injustice by permitting the School Managers upon the request of the parent of the holder of the Scholarship to choose the school; but he now found that that interpretation of the clause was not correct, and that it rather bore upon the interchange of boundaries as between the county schools of Carmarthen, Cardigan, and Pembroke.

Moved, "That an humble Address be presented to Her Majesty praying her to withhold her assent to the following portions of the Cardiganshire Intermediate and Technical Education Scheme:—Page 10 (Clause 48), lines 29 to 37 inclusive; pages 16 and 17, the whole of Part VII., namely, the whole of page 16 and also page 17, down to the end of line 27."—(*The Lord Bishop of Chester.*)

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): My Lords, I am not at all able to admit that there has been flagrant injustice done here, in the very strong words used by my right rev. Friend. I do not think there has been any injustice done at all. This is a matter of arrangement, and I will explain to your Lordships exactly what has occurred. As the right rev. Prelate has observed, the simple case is that there is a particular district in Cardiganshire where there is no county school; and,

*The Bishop of Chester*

therefore, the Scholarships to be established in that district will have to be held elsewhere—that is, in accordance with the precedent in the Carmarthenshire case, where there is a similar scheme. It is provided for the scheme that, unless otherwise ordered by School Managers on the special request of parents, Scholarships shall be tenable at any county school. I do not read those words in the narrow sense which the right rev. Prelate has attached to them. I look upon them as giving a plain discretion; so that, if there were parents who desired that their children should go into a school in this district not being a county school, that discretion may be exercised by the Managers. This provision seems to meet, as it was intended to meet, the difficulty raised by the right rev. Prelate. As to the alleged hardship that Llandovery School in the neighbourhood should be recognised whilst Lampeter School was not, the former is a large endowed school in which the Conscience Clause is adopted, and Lampeter is not endowed under the Act of Parliament. The Joint Committee objected to placing in the position of a county school a school over which the County Authority will have no jurisdiction. Upon the whole, no injustice is done. It is following established precedents; and it will be possible that Lampeter School shall hereafter be adopted as a county school. I simply look upon this as a case where an arrangement has been fairly made; and if hereafter it is thought that Lampeter School, having come within the Endowed Schools Act, may reasonably be recognised as an endowed school, that may easily be done. I hope, therefore, that your Lordships will not adopt the Motion.

THE EARL OF CRANBROOK: My Lords, I should like to ask the noble Earl whether the scheme suggested by the Charity Commissioners was considered by the Department?

THE EARL OF KIMBERLEY: Yes.

THE EARL OF CRANBROOK: And whether that scheme was upon the basis that if any school hereafter became an endowed school under the Charity Commissioners it should be open as a school for holding Scholarships?



**THE EARL OF KIMBERLEY** : Yes. Perhaps I might state exactly what has been done. In the original scheme, as proposed here, was a provision which would have admitted any endowed school, but in the scheme as now framed there is no such provision. That was considered by the Charity Commissioners.

**THE EARL OF CRANBROOK** : That is what I mean. As a matter of fact, the Education Department have overruled the Charity Commissioners that there should be a wider scope given in the education of children. The Department was desirous that the children should be put on an equality. The question is not so much between the two schools as it is a question for the children and parents, who are cut off from the use of a good local school existing in their midst. It was proposed by the Charity Commissioners, and rejected by the Education Department, that in such circumstances parents should be able to send their children to the local school, and should not be obliged to send them to a distance to obtain their education. The general idea is that in all parts of the country scholars who gain prizes and Scholarships shall be educated in the district to which they belong. Under the scheme the scholars of the Lampeter district would have to be sent to a county school away from the district. This is not compatible with a system the main object of which is to bring a cheap education to every man's door. I cannot understand why the scheme has been drawn so narrowly in regard to places where county schools are not in existence. What has been done is to make it an absolutely exclusive system against the wish of the Charity Commissioners, who wished it to be otherwise, and the mistake can be remedied by suspending the clause until Lampeter comes under the Endowed Schools Commission.

**THE EARL OF KIMBERLEY** : I have only one observation to make. I do not understand whether the right rev. Prelate wishes to omit the whole of Part VII. I am not saying that I agree to the omission of Clause 84 ; but why he wishes to suspend it with regard to Scholarships over the whole country I do not understand. I thought the object

he had in view would have been entirely satisfied by moving as to Section 84.

\***THE BISHOP OF CHESTER** said, he had no wish to be unreasonable, but it seemed desirable that the whole question of Scholarships should be reconsidered, and there would be really no delay. He was glad to hear the Lord President's interpretation of Clause 84, but he had heard quite another interpretation of it, and must still be rather sceptical. As to Llandoverly School, its Head Master was required to be in Holy Orders ; whereas at Lampeter he was not. With regard to any jealousy as to Llandoverly School, it was really not a question between the schools at all, but for the parents, and the strong language to which the noble Lord referred was simply a quotation from the protest of the Local Authorities concerned. He asked their Lordships to adopt the Motion in order to secure the reconsideration of what seemed at the best somewhat ambiguous treatment of the Scholarships and Exhibitions in Cardiganshire.

On Question ? Their Lordships divided :—Contents 33 ; Not-Contents 23.

Resolved in the affirmative.

Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves.

#### ENDOWED SCHOOLS ACTS, 1869 TO 1889, AND WELSH INTERMEDIATE EDUCATION ACT.

##### MOTION FOR AN ADDRESS.

\***THE BISHOP OF CHESTER**, on behalf of the Bishop of St. Asaph, moved—

"That an humble Address be presented to Her Majesty praying her to withhold her assent to the following portion of the Merionethshire Intermediate and Technical Education Scheme :—Clause 91 (b) from the word ("boarding-house") to the end ; Clause 91 (c).

He said, the Merioneth Scheme contained a very important element. The portion of the scheme to which he objected proposed to introduce the undenominational system of religious teaching and worship into boarding-houses ; and this, in his opinion, would constitute a very serious precedent in the case of like institutions

in England. He believed the intention of the authors of the Welsh Intermediate Education Act was to leave boarders attending intermediate schools in Wales under Clause 16 of the Endowed Schools Act, and, therefore, on the same footing as boarders in England. Several discussions had taken place on the subject, and particularly in Committee of the House of Commons on the 23rd July, 1889, when attempts were made by Mr. Stuart Rendel, Mr. Ellis, and others to get the word "day" before "scholars" left out in the Conscience Clause; but Sir W. Hart Dyke declined to accept the alteration. But it appeared that in this scheme the Charity Commissioners had made a kind of flank movement. In Clause 91, Sub-sections (b) and (c), they had introduced an entirely novel interpretation; and he would ask whether the Welsh Intermediate Education Act was not intended to leave the position of boarders as regarded religious instruction and family worship on the same footing as boarders in England? He would also ask whether the interpretation of the clause by the Charity Commissioners was a legitimate one? The Vice President of the Council had stated in the House of Commons that he was not responsible for that interpretation, and it was, undoubtedly, a very serious departure and most radical change. Under Section 91, and under the interpretation by the Charity Commissioners of Clause 16 of the Endowed School Act, a boarding-house master or the master of a hostel might himself be a Churchman, all the boarders might be the sons of parents who were also Churchmen, and yet, say on Easter or Trinity Sunday, the use of the Collects for the day would be out of order. It was further provided that while the teaching in general should be undenominational, yet, with the permission of the County Governing Authorities, instruction might be separately given in matters of a denominational kind. He objected that to put this matter under the direction of County Governing Bodies was to make a serious departure from the Endowed Schools Act. He contended that even if the interpretation placed upon Clause 16 was a legitimate one, such a change ought not to be introduced by a side wind. If it was intended to deal with the work of religious instruction and family

worship in boarding-houses and hostels on new lines, it ought to be done in the clearest and most direct way, so that everyone should understand what a change was coming over our educational system. On these grounds he asked their Lordships to adopt the Motion.

Moved, "That an humble Address be presented to Her Majesty praying her to withhold her assent to the following portion of the Merionethshire Intermediate and Technical Education Scheme:—Clause 91 (b) from the word ("boarding-house") to the end; Clause 91 (c)."—(*The Lord Bishop of Chester.*)

THE EARL OF KIMBERLEY: My Lords, with regard to what I understand to be the right rev. Prelate's interpretation of the effect of the 16th clause of the Endowed Schools Act of many years ago and of the clause which the Charity Commissioners have inserted in this scheme, I do not think he precisely explained the point. I do not think the Act provides for any such special restrictions as those referred to; but that the provisions are only of a general kind, enabling parents to withdraw their children in case the religious instruction is not such as they approve. I can tell the right rev. Prelate unreservedly that the Charity Commissioners, who are charged with the preparation of these schemes, are distinctly of opinion that what they have done in the present case is in no sense *ultra vires*. I am not now speaking of the merits, but that Sub-section (b) is distinctly within their powers. With regard to the policy of the sub-section to which objection has been taken, I think that, looking to all the circumstances of Wales, and the state of opinion there, it is highly undesirable to allow denominational teaching in boarding-houses or hostels connected with intermediate education in Wales. In a matter of this kind you must take account of the general feeling which exists. Speaking of Sub-section (c), the Joint Committee proposed that the teaching of denominationalism should be absolutely forbidden in those houses. That was the mode in which the proposal came before the Department; but the Department thought, looking to all the circumstances of the case, it would be much more likely to work smoothly if the Governing Body were permitted to act subject to any regulations which might be made on the

*The Bishop of Chester*

subject. Those words were inserted at the suggestion of the Education Department. The whole matter is one which is, no doubt, difficult of adjustment. There is a great deal of feeling upon all these subjects, and it is exceedingly hard to devise such a system as will meet the wishes of all who send their children to those boarding-houses. But there is really no hardship here, because in Sub-section (a) it is provided that the boarders shall be allowed to attend such places of worship as their parents may desire, and should have reasonable facilities for such religious instruction as their parents shall choose for them. That seems to me to provide for the case of parents who desire that instruction of an undenominational kind shall be given. Those who attach enormous importance to their children being taught a dogmatic theology, and who have a strong objection to any religious instruction which is not of that character, can have it provided elsewhere than in the hostel itself; but it may be provided in the hostel itself if the Governing Body will permit it. On the whole, I suggest that the arrangement is fair and reasonable, and does not act against the conscientious feelings of anyone. Looking at the whole circumstances of the case, and at what I am afraid are the animosities which prevail in that part of the United Kingdom, and considering how desirable it is that you should not in any way force denominational education upon these institutions, I think it is reasonable and fair that the scheme should remain in the form in which it has now been framed.

**THE MARQUESS OF SALISBURY:** My Lords, my objection to the course which the Government are taking is that they are making a very large and vital change in a small clause in a small scheme—a change which, when its scope and effect are known, will cause the bitterest feelings on the part of a considerable number of Christians in this country. Whether the Government are right or wrong, if Parliament determines that undenominational education is to prevail, and succeeds in defining what education is, I do not raise any further objection on that point. But I do demur most strongly to a change of this great extent and area and effect, which is so likely to embitter the feelings of religious educationists in this country,

being introduced in a small scheme for a Welsh county. Now, the point is this. In all the battles we have had here upon the Endowed Schools Act and the Intermediate Education Act we have always drawn a very strong line between day scholars and those who reside in the family, and are subject to teaching, as it were, night and day. Certain arrangements were made for day scholars; but in the Act of 1869, and again in the Act of 1889, it was carefully stated that the exclusion of denominational education should apply to day scholars. When that is done in an Act of Parliament it means that others shall not be subjected to the exclusion. If the noble Lord is right in saying—

**THE EARL OF KIMBERLEY:** It is the view of the Charity Commissioners. I am not giving my view of it.

**THE MARQUESS OF SALISBURY:** I think the noble Lord is quite wise to dissociate himself from it; but whether that is right or wrong, undoubtedly the meaning of the clause is that others which are not denominational shall not be subject to that enactment. But now, when the day provisions have been in force for 20 years, by a side wind the Charity Commissioners are trying to thrust in the application of the principle in the much wider case of those who are brought up in the family. Your Lordships will see at once what the difference is. Undenominational education means education in religion, leaving out anything to which any person can object. Giving undenominational education to children means teaching without any dogmatic statement which any body of religious persons can object to. It means without teaching the divinity of Our Lord. That is the real point on which, in the long run, all these regulations will turn, whatever the local circumstances in particular places may be. Now we say that to do that is really to put out of gear religious teaching altogether; that religious teaching is not possible in that hypothetical way. Just consider what is the position created by Sub-section (c). In the general schoolroom the teacher has to say that he does not know whether the divinity of Our Lord is to be maintained or not; but in a neighbouring schoolroom, if a bit of paper is produced from the pocket of the scholar, the

teacher will be required to teach the very doctrine which was forbidden in the other case—he will proceed to give his reasons for believing in the divinity of our Lord. In what state of mind do you imagine a boy will be when he has been subjected to that extraordinary proceeding? You cannot play fast-and-loose with the deepest religious convictions of the human mind in this way, and you had better utterly abandon the idea of any attempt at religious education, if your conditions of religious education are to leave out the fundamental doctrines upon which all religious feelings and all religious motives must ultimately turn. The notion that there is a religion expunging that upon which men differ, and leaving nothing but that upon which all men can agree, is the wildest chimera that ever entered the brain of a politician. A politician cannot make these things happen as he desires. The religious conviction is much too strong for him. It will have its way; and all you will do by this attempt to force an impossible neutrality upon the mind you are attempting to teach the most important things will be undoubtedly to propagate infidelity in the first place, and, in the next, to promote a bitter, angry religious reaction, from which the education you are trying to press forward will be the first to suffer. My Lords, I entreat you, if you mean to undertake this anti-crusade, if you desire to exterminate all religious belief from religious education, do it in the open; do it by a bold general measure; do it by something we can discuss here in public, and to which we can call the attention of the country; but do not attempt to do it by a side wind, by this wretched introduction of insidious words into a scheme of the Charity Commissioners.

**THE LORD CHANCELLOR** (Lord HERSCHELL): My Lords, with regard to what the noble Marquess has said, I cannot assent to the suggestion that a scheme of this sort, if carried into effect, will be likely to destroy religious belief and promote infidelity. I believe that to be an absolute delusion, and that it springs to some extent from a want of acquaintance with what is called undenominational religious teaching, which is, nevertheless, as truly religious, and which is as truly calculated to influence the mind and

heart of man as what is commonly called dogmatic, or religious, or Church teaching. There are boarding and other schools carried on upon undenominational principles, from which the inmates go to confirmation as from denominational institutions. I venture to say, and I speak from knowledge of some of these institutions, that the children who issue from them go into the world as imbued with religious teaching and as far removed from infidelity as from any other schools in the Kingdom. I demur to the view that what is called undenominational teaching is necessarily either antagonistic to religious teaching or to religious feeling. In a question of this sort we have to deal with the matter practically, and I do not know exactly what it is at this moment that the noble Marquess desires. Does he desire that every one of these hostels should become a place of denominational teaching for some Religious Body or another; that there shall be no common Christian worship among those who go there unless they are willing to adopt the worship of some denomination to which, perhaps, they do not belong? We are dealing with a mixed population in Wales, among whom, I believe, this matter will be largely freed from difficulty. I do not believe there would be the slightest difficulty in the young people in Wales taking a common part in family worship without exciting any susceptibilities. The truth is, these difficulties are more imaginary than real. They can be conjured up into something pretentious; but I do not believe that in practice the difficulty arises. If this were a proposal to promote undenominational teaching where it was not desired, I could understand objections being raised to it; but here no parent is debarred from obtaining religious teaching for his child. Is not that a fair compromise in the matter? Such religious teaching is given generally in the school-house as may be made use of by those belonging to different denominations, and as would not be offensive to these different denominations; but as regards the particular religious teaching which any parent desires for his child, that is practically secured by this proposal. The child may attend a place of religious teaching, and may have such facilities for all religious teaching as the parent desires. I do not say the scheme is a



perfect one. It would be impossible, perhaps, to have a perfect scheme for this purpose; but, in dealing with a matter of this sort, I submit to your Lordships that this scheme is not creating any such dangerous precedent, as the noble Marquess suggests, or likely to lead to the terrible irreligion which he appears to anticipate.

THE BISHOP OF ELY asked whether the county schools would only have one hostel in each case? Parents might wish to send their children to a hostel which had a different religious teaching. They might be hostels for Roman Catholics, hostels for Wesleyans, or hostels for Baptists, and if the head of the hostel was to announce that he proposed to teach the children therein in accordance with the wishes of the parents, and if the parents chose to send all their children to one hostel, why was a clause put into the Bill to limit that hostel in using the formularies of a particular denomination for family worship? It was possible for the head of a hostel to say he would have undenominational education, and why should not the head of another have other teaching? A boarding-house was a place where the children residing there spent a large part of the year, where they obtained the main part of their religious teaching, and where their religious feeling was developed day by day. He ventured to hope their Lordships would support the Motion.

On Question? Their Lordships divided:—Contents 39; Not Contents 23.

Resolved in the affirmative.

Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves.

#### MERCHANT SHIPPING (FISHING BOATS) ACTS (1883 AND 1887) AMENDMENT BILL.

##### THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3<sup>a</sup>."  
—(*The Lord Playfair*.)

THE MARQUESS OF SALISBURY: My Lords, I wish merely to make an appeal to the noble Lord. It appears

we are to have an agreeable November and December in this admirable climate, and I think it would be agreeable to your Lordships if he would join in providing us with some little work for the period. I do not think the noble Lord has taken advantage of us, or done anything of which we have a right to complain; but, as a matter of fact, this Bill did slip through without any of us knowing what had been done. This is due to the extraordinary extent to which this House requires that system of reference as to which we so often have had reason to complain. I defy any lay person upon a mere reading of the Bill to find out what it means; but with all the advantage of having the Statute Book by one and tracing from point to point what it refers to it is very difficult to find out what the object of it is. It has come as a surprise not only upon us, but upon the persons whom it directly affects, who are principally fishermen engaged in sailing vessels on our Eastern Coast. As I understand the case, there is already an Act which subjects those who work steamers in the fishing industry on the East Coast to an examination under the Board of Trade, and this is a measure proposing to extend the liability to examination from steamers to sailing vessels. Now, to the principle of the measure, I have no objection at all. I am not quite such a believer in examinations, perhaps, as the noble Lord; but it is quite reasonable, I think, that persons should be subjected to examination who have the charge of other people's lives in their hands. What I demur to is that this demand should be made upon men who have already entered upon their career, have spent a considerable part of their lives in this work, and who you may be quite certain, whatever happened, could not pass an examination. It means to them the cutting off of their livelihood, a condemnation to poverty. I do not think there is any case of inconvenience or danger made out which justifies you in enforcing so hard a measure upon an industrious population, and I am not in the least surprised at the terror with which these fishermen have heard of the fate in store for them. I would ask your Lordships, with all the advantages of your education, if it was suddenly said that you should not enjoy your incomes unless

you passed in a competitive examination, how many of you would look at the prospect with equanimity? That is the measure which you are preparing for the unfortunate fishermen in sailing vessels on the East Coast. No doubt the noble Lord will tell me that the Board will not be allowed to impose this examination unless it is absolutely necessary. I am sure that will not be considered a satisfactory answer by the population whom it concerns. I believe the Board is guided by equity and judgment, and I do not, in the least, fear that any ill-use would be made of its powers by the present Board; but nobody can foresee into whose hands its powers will fall, and I simply desire to take care, as far as the Department is concerned, that no evil use will be made of those powers when given. I can quite understand that these people upon whom you are inflicting this measure would demur to it very much. I might have proposed a number of Amendments which would have expressed my views; but they are difficult to deal with in a full House, and it seems to me more reasonable, if the noble Lord will agree, to send it back to the Committee, and there to discuss the provisions one by one in detail, and see whether some better arrangement cannot be arrived at by the Board of Trade with reference to these people, who are, I am sure your Lordships will think, worthy of every consideration.

Motion (by leave of the House) withdrawn.

Moved, "That the Bill be re-committed to a Committee of the whole House."—(*The Marquess of Salisbury.*)

\*LORD PLAYFAIR said, this was not a Government Bill, but a private measure originally brought in in 1892 by Mr. Heneage, the Member for Grimsby. It was modified by the Board of Trade during that year, and Mr. Heneage approved of the modifications, and introduced it again. It was, therefore, before the fishing population, if they had chosen to take any interest in it. It was not for the purpose of imposing any examination upon fishermen generally. It simply provided, as vessels were growing in size, that upon those above 25 tons, if any accident happened to the master, there might be somebody aboard

with a knowledge of navigation sufficient to safely bring the vessel home. It was, therefore, for the purpose of applying examinations to the second hand, or mate. The Board of Trade had already power to require that a certificate of competency should be obtained by a master. That was the whole of the Bill. At the same time, he agreed with the noble Marquess that they should not push the measure through rapidly without the knowledge of the fishermen who were interested in it. They were, he believed, divided in opinion. It originally arose from the action of one section of the fishermen at Grimsby, and there was another section represented by the Smack Owners' Association who did not approve of it. He had taken every precaution that the Bill should not be hurried through the House, and he had postponed it from week to week, and from month to month, in order that those interested might have the opportunity of considering it. He would be glad to meet the views of the noble Marquess, and to obtain the opinion of the Board of Trade on the matter during the Recess.

Motion agreed to; Bill re-committed to a Committee of the Whole House accordingly.

#### THE FRANCO-SIAMESE CRISIS.

##### QUESTION. OBSERVATIONS.

LORD LAMINGTON asked the Secretary of State for Foreign Affairs as to the position of the Franco-Siamese crisis? He said he put the question because of several disquieting rumours which had lately arisen in respect to the carrying out of the terms of the French ultimatum, and because of the fact that several fresh demands were reported to have been made as to Chantaboon, the dismissal of European officers, the Commercial Treaty, and the cutting of a canal through the Malay Peninsula. Perhaps the noble Lord could now give more complete information than was supplied when similar questions were asked in the House of Commons. But he also desired to call attention to one or two points in connection with the ultimatum itself. In the first place, could the Secretary of State say what was to be the fate of the States of Nan and Luang Prabang, neither of which could by any

*The Marquess of Salisbury*

pretence be considered to be anything else than strictly Siamese, and whose territories lie on either bank of the Mekong? Would Parliament have any opportunity of considering the boundaries with reference to those States, and as between ourselves and France, before they were ratified? In the second place, he wished to call attention to the new principle introduced into the ultimatum of prohibiting a country from having troops on their own territory. As their Lordships were aware, within 25 kilometres of the right bank of the Mekong the Siamese were restricted from having troops for aught than police purposes. That vitiated the agreement as being a permanent settlement of the frontier question, and was a constant threat to the independence of Siam. He could believe that the French Government were acting in perfect good faith, and intended honourably to respect the independence of Siam; but the official who drew up the terms of this ultimatum must have had a good laugh in his sleeve when he inserted this section. Why, outside of Bangkok the only police were soldiers, and these would not be allowed to set foot in this belt of territory. Who would keep order then? It would not be long before the French found occasion to interfere in some paltry quarrel. If this restriction were imposed for the mere purpose of the avoidance of misunderstanding or animosities between the Siamese and French Annamite troops, why did the French not stipulate that they would not themselves have troops within 25 kilometres of the left bank of the Mekong? There was no use in disguising the fact that practically the frontier was 25 kilometres west of the river, and not the river itself. What, then, was certain to happen if the great Annamite chain of mountains, crossed by only a few paths, was an ineffective barrier to French aggression on the clashing of rival interests? What possibility was there of an imaginary line drawn through goodness knows what country, towns, or villages restraining the zeal of those who desired in the Indo-China Peninsula to recover a lost India? And, as he had said on a previous occasion, no neutral frontier existed between the Mekong and Menam Rivers, the country being a tableland. He fully accepted the assurances of the French

Government to respect the integrity of Siam; but it would be hardly in human nature, and certainly not French human nature, to avoid pressing on into the richer and more fertile districts of Siam. What would happen to the valuable teak forests situated in the large north-eastern bend of the Mekong? The best method of working would be to float the logs down the Mekong to such a point where they could be put on the railway that it was proposed to make in continuation of the Bangkok-Korat line. It was to be remembered that it was the taking in hand of this railway and the consequent attraction of traffic from the Mekong to Bangkok that probably decided the French to put into execution their long-determined policy of having all lands east of the Mekong. Would the French, then, allow of the teak being worked in this manner? He greatly doubted it. It was more probable that once floated on the waters of the Mekong it would never be allowed on to a Siamese railway. This was only a detail, but one which showed what constant causes there were of future friction. There was no use in blinking our eyes to the fact that, though it might not be the intention of their Government, the French in Indo-China desired the whole of Siam, and when they made the move they would be supported by the Press at home. The only chance of making the new frontier a permanent solution of this vexed question was to hedge it round with every possible safeguard that diplomacy could suggest, and to state frankly that to break these guaranteed boundary arrangements would be regarded as an attack on British interests. So far it could not be said, except indirectly, that the large mouthful of Siam that France had swallowed had affected our interests; and taking action, as was the usual practice of the Foreign Office, very late in the day, the noble Lord had done the best under the circumstances. But the limit of our forbearance should now be reached—it was not only the trade with this country and our Colonies that would be at stake, but it was our Indian Empire that was so closely concerned in the preservation of the Kingdom of Siam. It would be interesting to know what was the opinion of the Secretary of State for India in this matter, and it would re-assure those engaged in commerce in

the East, and many thousands of Indian subjects living in Siam, to know that the Indian Government was fully alive to the necessity of keeping free from the rule or influence of any European power. And, as connected with the Indian Government, he asked whether it was not their intention to ask for Consular posts wherever the French might be allowed to establish them? He had asked this question at length, but it was most unfortunate that no other Member of the House had interested himself in the question, as if, because Siam was some thousands of miles away, the fate of our fellow-countrymen and of our subjects were a matter of small importance.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Earl of ROSEBURY): My Lords, I can assure my noble Friend that I always hear him on this subject with deep interest as a real expert on all Siamese matters; but he will also allow me to say that he speaks with greater freedom from responsibility than I can in the Office I have the honour to hold. His question is put so broadly that it could only lead to a statement on the whole position of the negotiations with regard to Siam which, in my opinion, would be in the highest degree detrimental to the public interest at this moment to make. It was only the other day that Lord Dufferin left England for the purpose of renewing those negotiations which were interrupted by the course of the French Elections; and I hope, therefore, that at this particularly delicate and critical moment my noble Friend will be satisfied with the assurance, which I am happy to think he may receive with the more readiness from the opinion he has been good enough to express upon our efforts so far, that Lord Dufferin has returned to Paris with the fullest and most definite instructions for the protection of British rights so far as they are affected by what he has called the Franco-Siamese crisis.

#### EFFICIENT ELEMENTARY SCHOOLS.

##### QUESTION. OBSERVATIONS.

\*LORD SANDFORD called attention to a recent Circular (No. 333) of the Education Department; and asked the Lord President under what statutory authority the Department claims the right to say that "they will no longer

*Lord Lamington*

take a school into consideration among those giving efficient elementary education" if the managers at any time "refuse to permit inspection" to which the school is not subject by law? He said, the Circular referred to the fact that, at the time of the inquiry into school provision in 1870, certain schools not under Government inspection were passed as giving efficient elementary education. Some of those schools might not be now efficient, and the Inspectors were asked to report such cases to the Department; and if the Report was unsatisfactory the Department would no longer accept the schools as among those giving sufficient elementary education to the district, and would take steps to supply the deficiency existing. On the first inquiry into the subject in 1871, all schools were invited to send Returns if they wished to be recognised, and those which did so were inspected. A list was made out of schools either receiving the annual grant, or which held aloof from the system from disinclination to take public money, or from dislike to the Conscience Clause, which they objected to as interfering with the ordinary religious instruction of the school. The latter were religious schools, the managers of which wished religion to permeate the whole daily education. No inspection was enforced in those schools beyond that *ad hoc*, and the fact that they were recognised as an efficient part of the school provision of the country did not give the Government the right to inspect them permanently. That was not considered very satisfactory, because there was no guarantee of efficiency; and when the Acts were amended it was proposed to introduce a clause to the effect that so long as a school was on the list of the school supply of the country as an efficient school it should, from time to time, be liable to inspection. He well remembered Mr. Forster's answer—it was very characteristic. He said—"No; I am not going to let you fellows bully the School Managers, simply because they do not want to have anything to say to you. They will soon come in, because the cost of education must rise, and they will want funds." Mr. Forster, at the same time, pointed out that the Act of 1870 allowed the Department from time to time, not oftener than once a year, to hold a survey of the school supply, either



of the country in general, or of any particular district. He also pointed out that under the bye-laws, if a question were raised, it could be tried at any time. Under this Circular there was no certainty, as under an inquiry, that the public would be made acquainted with the matter. Everything necessary to start an inspection might be done *in camera*. If, on the Inspector desiring to inspect a school, the Managers declined, saying they were not liable to inspection, the Circular allowed the Inspector at once to declare the school inefficient, and refused to recognise it as part of the school supply of the district, and then the ultimate powers under the Act would be enforced. Mr. Forster thought that everything connected with the school supply of the district, however small, ought to be done openly, and with due notice to the parish. On what authority had this Circular been issued? There were very few schools now which had not come in under Government inspection, and had declined to be recognised. Mr. Forster's prophecy that the want of funds would drive them into the regulations of the Department had been realised. No fewer than 2,000 parishes in England had populations not exceeding 100, and there were 3,000 parishes with populations not exceeding 150. Those places could not possibly, from their size, be called upon to maintain schools of their own. This question about the distance of the schools from the population they supplied was carefully gone into at the time of the survey, and many schools were enlarged in order to enable them to accommodate children from neighbouring parishes upon which a School Board would otherwise have been thrust at great expense. The Managers of these schools, which had been apparently settled with, desired to know, therefore, why at this moment arrangements which had worked well for 20 years past should be interfered with? It was for the Inspector to say what was a reasonable distance for the children to go; and if the Department did not settle it, the bye-laws settled it for them. There was not a single district in England where the reasonable distance for attending schools had not been fixed; and now the Inspectors were instructed, if they did not think the distance reasonable, to open up the

whole question by reporting to the Department. Not a word of guidance was given in the Circular, as was generally done, as to what was reasonable, and different Inspectors might form different opinions; and the last part of the Circular especially would affect small schools in the rural districts. He desired to know on what authority the Department had acted in issuing the Circular?

THE EARL OF KIMBERLEY: My Lords, with regard to the last question which the noble Lord asked about the reasonable distance, I do not know why he should be so extremely jealous of the Department requiring information upon that subject. The arrangements are not in every possible case what they ought to be. You cannot stereotype these things. Conditions of population change; the means of communication alter, and it is desirable that you should, from time to time, have power to see how your system works, and whether there are any defects in it. I cannot see why the noble Lord thinks it the duty of the Department to dwell in a dark cave, and to refrain from remedying anything which might require to be altered in any particular school. It seems to me that the proper mode of conducting a great system is from time to time to obtain the necessary information to enable you to know what ought to be done. Of course, the Department may act without discretion; but, if so, that cannot be helped, because Parliament has entrusted to the Department the administration of a great system, and it seems to me that its first duty is to obtain all the information necessary to enable it to administer the system discreetly and wisely. With regard to the other point, I think I shall be able to entirely satisfy the noble Lord. I am sure he would wish that these schools which stand outside the system should be tolerably efficient. Of course, it would be exceedingly unjust, when education is made compulsory, that there should be schools which do not supply the necessary education. I do not think anything could be more reasonable than that there should be some inquiry into the condition of these schools, more particularly when you remember that no less than 23 years have elapsed since they were recognised as efficient. Can anybody suppose that during the whole

of that time no changes have taken place, and that those schools may not require to be looked into? The Circular may look very formidable, but I do not think there is anything very alarming in it. In the first instance, it requests that the Inspector shall propose to the Managers an inspection of the schools. If the Managers are willing, of course the matters go on without further difficulty; but the Department think that it is only right to let the School Managers know what will be the result if they receive this overture unfavourably and refuse to allow the inspection. The noble Lord asks upon what authority that is done. The Act of 1870 provided that a Return should be made, in the first instance, to enable the Department to determine where throughout the country the schools were efficient and where they were not. But the Act did not confine itself to a single Return. It said the Department might require Returns from those schools at any time, provided only one Return was required for each year.

**THE MARQUESS OF SALISBURY:** Does the Act say they shall not only give a Return, but allow the Inspector to inspect?

**THE EARL OF KIMBERLEY:** Yes, that is in the Act. The 1st clause says the Return is to be made; and the next that the Inspector may inspect the school after the Return is made. I would point out to the noble Marquess that if access is refused to our Inspector, technically a Return might be called for; but that merely means that we should have to use so much red tape and foolscap in sending to the Managers. We have a right to require the Return, and, having done that, we have a right to inspect everything which follows. But we do not wish to put the schools to the unnecessary trouble of making these Returns, and, therefore, we ask them to allow the Inspectors to visit the schools. If they do not do that, the consequence is pointed out to them. There is no intention to act harshly to the schools. All we desire is simply to know what their condition is; and I think, when we reflect that for 22 years and more there has been no inspection of them, anybody will say that it is the plain duty of the Department to ascertain what their present condition is. My own impression is

*The Earl of Kimberley*

that it would be better they should be inspected yearly, and it seems to me the Act contemplated there should be constant Returns made, because it provided that not more than one Return should be made in a year. They are schools which, for certain purposes, are recognised as part of our elementary educational system, and it is quite proper that they should be inspected by the Department and reported upon. I can only say there is not the slightest desire to destroy those schools, or to act harshly towards them.

#### ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.

Commons' Reason for disagreeing to one of the Lords' Amendments considered (according to Order).

**THE EARL OF KIMBERLEY:** My Lords, I beg leave to move that the House do not insist upon its Amendment. The point was whether these schools should be allowed to be established or not under the Bill, and the words which were left out were—

"In granting or withholding their consent under this section"—

that, is to the establishment of the schools—

"the Education Department shall take into consideration the sufficiency of accommodation available for the blind and deaf children in existing schools."

And the Commons dissent for this reason—

"Because it would diminish the powers given to School Authorities under the Bill, and raise considerable difficulties of Departmental administration as to limits of distance and otherwise."

The objection is really this—that although the Department ought to have made some inquiry, and will make inquiry, with regard to the facilities afforded, it will hamper the action of the Department very much if you put this in. For instance, take London, it would be impossible, if there were any institutions in and around London, to say to what distance you might have to go. That Amendment, therefore, it seems to me is quite unnecessary. I am told there is a considerable feeling in the matter on the part of many Members of the other House, and that to insist upon this Amendment might incur some danger of the Bill being thrown over altogether.

Moved, "That this House doth not insist upon their Amendment with which the Commons have disagreed."—(*The Earl of Kimberley.*)

Motion agreed to.

Message sent to the Commons to acquaint them therewith.

CONTAGIOUS DISEASES (ANIMALS)  
+ (SWINE FEVER) BILL.

Returned from the Commons with the Amendments agreed to.

WOMEN'S SUFFRAGE BILL [H.L.]  
(No. 109.)

Order of the Day for the Second Reading, read, and discharged.

EDUCATION (SCHOOL ATTENDANCE)  
(SCOTLAND) BILL [H.L.]—(No. 262.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

FERTILISERS AND FEEDING STUFFS  
BILL.—(No. 263.)

House in Committee (according to Order): Bill reported without Amendment; and re-committed to the Standing Committee.

BUSINESS OF THE HOUSE.

Ordered, That the Evening Sitting of the House To-morrow do commence at Four o'clock.

House adjourned at half-past Six o'clock,  
till To-morrow, Four o'clock.

HOUSE OF COMMONS,

*Monday, 4th September 1893.*

MR. SPEAKER'S INDISPOSITION.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker, owing to indisposition:—

Whereupon Mr. Mellor, the Chairman of Ways and Means, proceeded to the

Table, and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

QUESTIONS.

MIXED TRAINS ON THE HIGHLAND RAILWAY.

MR. BEITH (Inverness, &c.): I beg to ask the President of the Board of Trade if he is aware that much agitation exists in the Northern Counties of Scotland regarding the Order of the Board of Trade as to the marshalling of mixed trains on the Highland Railway; that the Directors declare, if the Order be enforced, that the number of mixed trains must be largely reduced, causing the greatest inconvenience to the sparse population in these Highland counties and small coast towns, to which such travelling accommodation is of the utmost value; if he is further aware that the Highland Railway Company have worked the existing system of mixed trains for nearly 40 years, to the entire satisfaction of the general public and with remarkable freedom from accident or loss; that the Directors believe that "The Railway Regulation Act, 1889," allows ample discretion to the Board of Trade in respect of the Order complained of; and that, in addition to dislocating their working arrangements, compliance with the Order would entail a large capital expenditure for loop sidings, besides outlay in fitting and working their trains with the automatic brake, which they assert the experience of nearly 40 years proves not to be required; and whether, in these circumstances, the Board of Trade will insist upon enforcing the Order?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MCNDELLA, Sheffield, Brightside): I am aware of the agitation with regard to the Order made by the Board of Trade in February, 1891. That Order directed the Highland Railway Company, among other things, to provide on all their trains carrying passengers continuous automatic brakes before the 31st December next. The Railway Regulation Act, 1889, was passed by Parliament in the interests of public safety. It was clearly the intention of the Legislature that continuous automatic brakes should be provided, if not

for every vehicle on trains carrying passengers, certainly upon all those vehicles in which passengers are conveyed. This cannot be done under present arrangements if the goods waggons in a mixed train are placed in front of the passenger vehicles. Although the Board of Trade are willing to allow a limited number of mixed trains, it is an invariable condition that in such trains passenger carriages must be placed in front, so as to allow of their being provided with a continuous brake. The Highland Railway is one with severe curves and steep gradients, and upon such a railway it is especially necessary that the travelling public and the servants of the Company should have that protection which is afforded by continuous brakes. The absence of such protection has led to many accidents in various parts of the United Kingdom, and to several such accidents on the Highland Railway itself. Compliance with the Order may involve the Company in some expense, but not to the extent referred to by the hon. Member. I am unable to exempt the Highland Railway Company from an obligation which has been willingly accepted by all the principal Railway Companies of the United Kingdom, and by so doing to allow them to endanger the safety of their servants and the travelling public.

MR. BEITH: Is the right hon. Gentleman aware that the Highland Railway Company comply with all the terms of the Order, with the exception of that one term affecting their method of marshalling mixed trains; and whether, in all the circumstances, he will consent to postpone the term at which the Order in this respect would be put into operation?

MR. MUNDELLA: I am aware that the Company has complied with all the principal conditions except one, and that principal condition it is impossible to forego.

#### ARMAMENT OF NATIVE TROOPS IN INDIA.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Under Secretary of State for India whether, in view of the frequent employment in India of mixed forces of British and Native troops, and of the great inconvenience and danger likely to arise from the fact that a different kind of ammunition is

used by British and Native troops respectively, the Indian Government will consider the advisability of converting the Martini-Henry rifle, now in the hands of the Native troops, by substituting the Lee-Metford barrel for the Henry barrel?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): A reply to a somewhat similar question by the hon. and gallant Member for the Newport Division of Shropshire was given on the 7th July last. In the absence of any proposals from the Government of India, there is no intention of taking any steps in the direction suggested by the hon. Member, the cost of which would be very considerable.

X

#### THE TELEPHONE.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the Postmaster General whether the Department make it a condition of any new licence that the telephone system be constructed entirely of twin wires or metallic circuits so that there may be an assurance of its efficiency; whether he is aware that in the large cities the present system of a single wire with an earth return is causing great dissatisfaction; whether his attention has been drawn to the serious loss the Telegraph Department is suffering owing to the extended use of the telephone in the cities and crowded areas from which the profitable part of the revenue for telegraphs is derived; and how he proposes to protect the public interest?

\*THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): By the terms of the Treasury Minute of the 23rd May, 1892, in the event of a licence being given to a new company, one of the conditions would be that their system must be constructed of metallic circuits. With reference to the remainder of the question, I may say that I am engaged in carrying out the policy of the late Government, who had before them expressions of public dissatisfaction, as well as the question of the effect of the telephone system on the telegraph revenue. It was no doubt with the intention of protecting the public interest that they decided to acquire the Trunk Telephone Lines and to place certain additional facilities at the disposal of the public. Their proposals were considered and approved by the House of Commons.

*Mr. Mundella*



**MR. A. O'CONNOR** (Donegal, E.) (for Mr. HOGAN (Tipperary, Mid): I beg to ask the Postmaster General whether the policy of the Department, with reference to the granting of Telephone Exchange licences is that no new licence should be granted unless with the consent of Corporations and Municipal Authorities; and, if so, if any application has been made with such consent; what statutory powers, if any, the present private Telephone Company possess; and whether, in pursuance of the policy recommended by the Treasury in their Minute of 23rd May, 1892, which stated that the object was to meet, as far as possible, the views of Municipal Authorities, any application has been made by a Corporation; and, if so, from what Corporation?

\***MR. A. MORLEY**: In answer to the first paragraph, I would refer the hon. Member to the Treasury Minute laid before the House of Commons on the 27th May, 1892—

"For a licence to establish an Exchange in a particular town no application will be entertained unless a formal resolution in its favour has been passed by the Corporation, or other Municipal Authority, and evidence given that there is sufficient capital subscribed to carry out the undertaking."

In one case, a resolution of this kind, qualified by conditions, has been conveyed to me by the applicant for a licence. The Telephone Companies possess no statutory powers. Application for a licence has been made by the Corporation of Glasgow.

**MR. HENNIKER HEATON** (Canterbury): I beg to ask the Postmaster General whether he has any objection to state the period for which the agreement with the National Telephone Company will be made; and whether the maximum rate to subscribers will be inserted in the agreement?

**MR. CAYZER** (Barrow-in-Furness): I beg at the same time, to ask the right hon. Gentleman if he will undertake to submit the agreement negotiated between the Department and the National Telephone Company to Parliament for approval, in order that its terms may be properly considered in the public interest; and whether, in view of the fact that a twin wire metallic circuit is absolutely necessary, he is making the adoption of such system by the present Private Company operating the telephones

a condition in the agreement he is negotiating with such company?

\***MR. A. MORLEY**: Perhaps I may be allowed to answer both questions at the same time. I would explain that it is not proposed to confer a new licence on the company; the date for the termination of their licence is the 31st December, 1911, and that date will remain undisturbed. So also will the freedom they at present exercise in fixing their charges for Telephone Exchange wires. The main object of the new agreement is the purchase of the Trunk Lines and the consequent withdrawal of the right of the company to erect and work such lines. As to the submission of the agreement to Parliament, I must refer to the answers which I gave in this House on the 31st July and the 18th and 31st ultimo. In answer to a question I have received from my hon. Friend the Member for the Blackfriars Division of Glasgow, I have to say that this not being a new licence to the Telephone Company, I have no power to insist on a double metallic system.

\***MR. GIBSON BOWLES** (Lynn Regis): In view of this answer and of an answer previously given by the Postmaster General on this subject, to the effect that the agreement would be laid on the Table of the House when completed, in accordance with the recommendation of the Committee, I desire to ask the right hon. Gentleman whether it is not a fact that the recommendation of the Committee did not include the words "when completed." Did the Committee, in the view of the right hon. Gentleman, intend that the agreement should be laid on the Table only after it was completed?

\***MR. A. MORLEY**: I have referred to the recommendations of the Committee, and I take it that that is so.

\***MR. GIBSON BOWLES**: Do I understand that the right hon. Gentleman considers the Committee recommended that the Report should only be laid on the Table when it would be useless to the House?

**MR. A. C. MORTON** (Peterborough): Do I understand that these matters will not prevent Municipal Authorities from getting licences?

\***MR. A. MORLEY**: There is nothing to interfere with that at all.

Mr. PROVAND (Glasgow, Blackfriars): Will the right hon. Gentleman say whether the words "when completed" were in the Report, and, if so, where?

\*Mr. A. MORLEY: I did not profess to give the exact words of the Report. I only gave the effect of the Committee's Report—that the details of the agreement would be carried out on the responsibility of the Government, and that the agreement would be laid on the Table.

Mr. PROVAND: Is this agreement not the same as other agreements, such as for mail contracts and telegraphic service over the sea, which are always signed when laid before the House, but do not take effect until this House has signified acceptance of it?

\*Mr. A. MORLEY: No, Sir. In those cases I believe it is done in accordance with Statute.

Mr. PROVAND: Is it not by Standing Order of the House?

\*Mr. HENNIKER HEATON: May I ask whether the right hon. Gentleman received a deputation from Glasgow, and what answer has been given?

\*Mr. A. MORLEY: The Memorial dealt with two matters, and my answer was that the whole matter would receive the careful consideration of the Government as soon as the purchase of the Trunk Lines had been completed.

#### ANNUAL EXPENDITURE AT THE INDIA OFFICE.

Mr. NAOROJI (Finsbury, Central): I beg to ask the Under Secretary of State for India whether he could lay a statement upon the Table of the House showing the details of the annual expenditure at the India Office since the institution of the grant on objects of a literary, scientific, or antiquarian character (see page 9 of the Home Accounts), and the objects to which literary patronage is extended, as well as details of any analogous expenditure not included in the grant—*e.g.*, the cataloguing of the Records of the India Office, the indexing of the Indian events recorded in *The Times* newspaper, and the recent Literary Missions to Portugal?

Mr. G. RUSSELL: The Secretary of State has no objection to giving the information for which my hon. Friend asks as an Unopposed Return; but I

should be glad if he would confer with me as to the terms of his Notice of Motion before putting it on the Paper.

#### SURVEY OF NORTH TIRHOOT.

Mr. NAOROJI: I beg to ask the Under Secretary of State for India whether the Government intend to commence the survey of North Tirhoot—*i.e.*, Darbanga, as owing to most unprecedented floods the time is most inopportune; whether ryots' Representatives were invited to the last Survey Conference at Muzafarpur; and whether the new Record of Rights Scheme of the Bengal Government is only a modification of the discredited Patwari Bill of 1885 that was stopped by Lord Dufferin?

Mr. G. RUSSELL: The Secretary of State has not yet received the proposals of the Government of India as to the Record of Rights alluded to in the third question of my hon. Friend, nor has he received any official information as to the matters referred to in the first two questions.

#### THE METROPOLITAN ASYLUMS BOARD.

Mr. BRODIE HOARE (Hampstead): I beg to ask the President of the Local Government Board what is the average number per week of applications for admission to the hospitals of the Metropolitan Asylums Board; what is the average number of admissions per week; and how long does it take for a suitable case to obtain admission?

Mr. WEIR (Ross and Cromarty): I beg to ask the President of the Local Government Board if he will state the number of certified requisitions received by the Metropolitan Asylums Board for admission of infectious cases to the Asylum Board's Hospitals during the months of June, July, and August, the number of cases received, and the average interval between the date of requisition and the reception of the patients; and whether it is the fact that the Metropolitan Asylums Board are unable for want of space to accommodate a large number of cases seeking admission?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir W. FOSTER, Derby, Ilkeston): I am informed that it has been impossible to establish any such system of registration of applications for admission to the hospitals

of the Managers of the Metropolitan Asylums District as would enable the Managers to make any accurate statement with reference to the number of such applications. The average number of actual admissions per week during the last 14 weeks has been 390. The actual admissions during the months of June, July, and August were 1,633, 1,736, and 1,803 respectively. The number of admissions possible each day is determined by the number of vacancies created by discharges and deaths. A selection is made each day from amongst all the applications received on that day of those cases which appear from the statements made as to their circumstances and surroundings to be the most necessitous and urgent. Unsuccessful applicants are instructed to renew their applications. I am informed that it is impossible to give the average interval between the actual requisition for removal and the admission of patients; but that, looking to the system adopted of admitting those which appear to be the most urgent, it is clear that with regard to the majority of cases which are received the interval is brief. It is the case that the Managers for the last three months have been unable for want of space to accommodate the whole of the large number of cases seeking admission.

ASSAULT ON A PLANTER,  
COOLGREANEY.

MR. T. W. RUSSELL (Tyrone, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a murderous assault committed on William and Robert Franklin, who had recently taken a vacant farm on the Brooke Estate, Coolgreaney; and whether he is aware that Franklin and his brother were seriously injured on the occasion by two men named Kavanagh and Mulligan, and if either of these men have been arrested?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : The circumstances connected with the occurrence to which the hon. Gentleman refers will form the subject of magisterial investigation at Avoca Petty Sessions on the 19th instant. So far as I am aware, only one man, Kavanagh, was actually concerned in the assault on the Franklins, and he was arrested shortly after the occurrence.

MR. T. W. RUSSELL: Has Mulligan been arrested?

MR. J. MORLEY : I believe not.

ALLEGED MISCONDUCT OF A BAILIFF,  
CO. MAYO.

DR. AMBROSE (Mayo, W.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that within the past month a man named Deskin, a bailiff on the property of Lord Ardilaun, accompanied by other bailiffs, attacked the hut of an evicted tenant named Nicholas Noonan, living near Ballinrobe, and forcibly ejected him and his family without any decree of ejectment or other process of law, and that the hut was completely destroyed; whether Deskin was armed with any legal warrant for such proceedings; whether he is aware that, on Noonan offering resistance, Deskin presented a loaded revolver at his face and threatened to blow his brains out; whether Deskin had a licence to carry a revolver; and, if so, will it be revoked; whether, if Deskin had not a licence, the authorities will prosecute him for carrying a revolver without legal authority; and whether Noonan was prosecuted for resisting the bailiff, and returned for trial, while Noonan's application for a cross-summons was refused?

MR. J. MORLEY : I understand that the bailiff acted in this case under a decree of ejectment obtained at Quarter Sessions on July 20 last. It is a fact that the bailiff drew a revolver on Noonan, but not, as I am informed, until after Noonan had stabbed one of the bailiff's assistants with a pitchfork and was about to make another attempt to stab. The bailiff has a licence to carry a revolver, and there are no grounds for revoking the licence. Proceedings are pending against Noonan, who has been returned for trial to the next Quarter Sessions at Galway on October 19. His application for a cross-summons against the bailiff was refused at Petty Sessions, the Magistrate stating that, in his opinion, the circumstances of the case warranted the action of the bailiff in drawing his revolver.

THE CASE OF MR. TUPHOLINE.

MR. A. C. MORTON : I beg to ask the Secretary of State for the Home Department whether Mr. Tupholine,

against whom warrants have been issued for alleged theft and various debts in Dover, has managed to elude the police since the 7th July last; whether in the interval Mr. Tupholme has been recognised in Folkestone and London, and information given to the police; and whether he will cause steps to be taken to get Mr. Tupholme arrested?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. ASQUITH, Fife, E.): The answer to the first paragraph is in the affirmative. Tupholme is said to have been recognised since July 7 on two occasions in London, but not at Folkestone. All the usual and necessary steps are being taken to obtain his arrest.

#### UGANDA.

**MR. A. C. MORTON**: I beg to ask the Under Secretary of State for Foreign Affairs whether the Government has yet received a Report from Sir Gerald Portal on Uganda; and, if so, when will copies of that Report be sent to Members of this House?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): Reports have been received, and those which have already been considered by Her Majesty's Government will shortly be laid upon the Table of the House; but I may remind the hon. Member that, in view of the fact that Sir Gerald Portal is still in Uganda, no Report hitherto received from him can be considered as final.

#### THE MERCHANT SHIPPING BILL.

\***MR. GIBSON BOWLES**: I beg to ask the President of the Board of Trade whether, seeing that the Merchant Shipping Bill, read a first time on 24th August, besides consolidating the existing law, introduces changes in the law by increasing the powers of the Board of Trade, as in Clause 720, by substituting summary jurisdiction for procedure before Justices as in Clause 579, by reducing punishments, imposing new penalties, and creating new offences, he will undertake not to press forward this Bill without allowing an adequate time for its previous examination, and giving to the House adequate opportunities for its full discussion?

*Mr. A. C. Morton*

**MR. MUNDELLA**: There is no intention of hurrying this Bill through the House. We have circulated over 70 copies of the Bill to bodies and authorities interested in its administration, and have invited their observations from the point of view of consolidation only. We propose now merely to read the Bill a second time, with a view to its reference to a Committee of both Houses, who will consider the suggestions received, and who will satisfy themselves that the Bill in no substantial sense increases the powers of the Board of Trade, imposes new penalties, or creates new offences.

\***MR. GIBSON BOWLES**: I give notice that if this Bill is brought in after hours I shall oppose it.

#### RATES PAID BY FOREIGN REPRESENTATIVES.

**MR. GIBSON BOWLES**: I beg to ask the Secretary to the Treasury whether he can state the total amount of rates paid by the Government on the houses of Representatives of Foreign Powers; which Representatives of Foreign Powers pay their own rates on their houses either in whole or in part, and what amount is paid by each; and which Representatives of Foreign Powers, if any, pay no rates at all?

\***THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The net amount payable by the Government on this account for the present financial year is about £1,825. Representatives of Foreign Powers have no relief from rates, except on the terms of reciprocity, and then only for certain kinds of rates. I may say that, practically, all important Powers have agreed to the arrangement made by the late Government and embodied in the present Estimates.

#### ARKLOW HARBOUR.

**MR. GIBSON BOWLES**: I beg to ask the Secretary to the Treasury if he can state on what ground a grant of money is asked for Arklow Harbour, and what the character of a Royal harbour imports?

\***SIR J. T. HIBBERT**: £3,500 was granted by the late Government towards £7,000 required for building a new breakwater, and was voted last year. It was found impossible to spend more than £2,000 last year, and therefore £1,500



has to be re-voted. It is not a new grant. Arklow is not now a Royal harbour, and there is a mistake in the description of it in the Estimates. A Royal harbour is a harbour which is the property of the Government.

#### PLURALISTS IN THE PUBLIC SERVICE.

MR. GIBSON BOWLES: I beg to ask the Secretary to the Treasury if he can say when the Return of Pluralists in the Public Service will be ready?

\*SIR J. T. HIBBERT: A Circular was issued to all Departments calling for the information required. Many have replied, but I am afraid that I cannot yet say when the Return will be complete.

#### THE DEER FORESTS COMMISSION.

MR. W. WHITELOW (Perth): I beg to ask the Secretary for Scotland whether the evidence taken by the Deer Forests Commission, up to the present time, will be printed and laid upon the Table of the House before the House is asked to vote any money for the expenses of the Commission?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): No, Sir; the Commission have not considered the question of submitting Evidence for presentation to Parliament by instalments; and, in any case, it would be impossible to have it all printed and presented during the present Session.

#### YACHTING DISASTER ON THE TAY.

MR. W. WHITELOW: I beg to ask the Secretary of State for War whether he is aware that a yachting disaster took place in the Firth of Tay about 24th July last, and that the cause of it has never been ascertained; that the opinion is freely expressed that the yacht was hit by a shot from the artillery guns on Barry Links; and that it is asserted that shots frequently strike the water near the spot where the disaster occurred; and will he inquire into the matter?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The General Officer commanding in Scotland telegraphs that this is the first he has heard of any shots from Barry Camp having passed near vessels. He has had no complaints,

and every possible care has been taken. A Report has been called for from the officer who was in command of Barry Camp on 24th July.

#### REGULATION CORDITE POWDER CARTRIDGES.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary of State for War how many regulation cordite powder cartridges can be fired from the Maxim machine gun before the barrel becomes unfit for accurate shooting?

MR. CAMPBELL-BANNERMAN: It is impossible at present to give a decided answer to this question, as, up to the present, no trials have been made with the object of determining the number. Experiments are, however, now being carried out at Aldershot with the gun in question, of which one is so arranged as to finally decide this matter.

#### TREASURY COMMITTEE OF 1891 ON RAILWAYS IN THE NORTH-WEST OF SCOTLAND.

MR. WEIR: I beg to ask the Chancellor of the Exchequer whether, having regard to the fact that the Treasury Committee of 1891 on Railways in the North West of Scotland, consisting of Major General Hutchinson, R.E., C.B., Rear Admiral Sir G. S. Nares, K.C.B., and Henry Tennant, Esq., reported Loch Broom, Ross-shire, to be encumbered with islets and rocks, and that this Report has been repeatedly quoted in this House as a reason for refusing the promised grant in aid of the Garve and Ullapool Railway extension scheme, while the Admiralty charts show no islets or rocks in the course of vessels sailing to and fro from Ullapool, and the sailing directions, as well as the Admiralty officials, state that Loch Broom is remarkably free from rocks and islets, steps will be taken to contradict the inaccurate statements contained in the Report referred to, and thus obviate the injury to the district which they are calculated to produce?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): I do not think the course suggested by the hon. Member can be taken.

## PASSENGER VEHICLES OF TRAINS.

MR. WEIR : I beg to ask the President of the Board of Trade whether the passenger vehicles of the trains run by the Highland Railway Company are provided with automatic continuous brakes as required by the Order of the Board of Trade, in pursuance of "The Regulation of Railways Act, 1889"; and whether, as the limits of time allowed for this provision expired on the 16th August last, penalties will be imposed if the Highland Railway Company have not complied with the Order?

MR. MUNDELLA : No, Sir; on several of the trains run by the Highland Railway Company continuous automatic brakes are not provided. The Order of the Board of Trade in this respect was extended at the special request of the Company from the 16th August till the 31st December next, when it will come into force. It is my intention to take the steps provided by the Act for enforcing compliance with that Order.

## IRISH GOVERNMENT CONTRACTS.

MR. O'KEEFFE (Limerick) : I beg to ask the President of the Board of Trade if, having regard to the Resolution of the House of Commons, dated 13th February, 1891, that in all Government contracts every effort should be made to secure the current wages for competent workmen, he will direct that the operation of this Resolution be put in force in Ireland; and if specific instances, whereby the effect and benefit of this Resolution have not been observed in Ireland, are brought under his notice, he will, in the interest of the parties concerned, direct the carrying out of said Resolution?

MR. J. MORLEY : At the request of my right hon. Friend I shall reply to this question. As I have frequently stated, steps have already been taken to give effect to the Resolution in question in the case of all Government contracts in Ireland; and the Government are not aware that the provisions of the Resolution, in its application to such contracts, are infringed. If, however, the hon. Member will bring under my notice specific instances in which it is believed the Resolution is not complied with, I shall have immediate inquiry made into the matter.

## THE MUZAFURPUR CONFERENCE ON THE BEHAR CADASTRAL SURVEY.

MR. HENNIKER HEATON : I beg to ask the Under Secretary of State for India whether he is aware that every non-official present at the Muzafurpur Conference on the Behar Cadastral Survey rejected the scheme of the Government of Bengal for the maintenance of the Record of Right, as unjust to the agriculturists of Behar; whether he is aware that a Memorial to the Secretary of State, setting forth the objections of the people of Behar to this scheme, is being signed by large numbers of leading landowners and ryots in that Province; and whether the Secretary of State will withhold his sanction from this scheme until he has had an opportunity of considering the objections?

MR. G. RUSSELL : The Secretary of State has not received any official information about the Muzafurpur Conference; but from the newspaper reports the facts seem to be as stated by the hon. Member. I can only repeat the answer which I made to a similar question of the hon. Member's on the 25th August, that the Secretary of State has already given his sanction to the Survey.

## SIAM.

SIR R. TEMPLE (Surrey, Kingston) : I beg to ask the Under Secretary of State for Foreign Affairs whether the Government will negotiate with the Government of Siam for equality in respect of commerce and concessions between British subjects and the subjects of the Most Favoured Nation; and whether, in Siamese dominions, British Consuls or Vice Consuls will be appointed at whatever places French Consuls or Vice Consuls are stationed?

SIR E. GREY : It is laid down in Article X. of our Treaty with Siam of April 18, 1855, that—

"The British Government and its subjects will be allowed free and equal participation in any privileges that may have been, or may hereafter be, granted by the Siamese Government to the Government or subjects of any other nation."

This seems sufficiently comprehensive without the negotiation of a fresh stipulation. It would entitle Her Majesty's Government to ask for the appointment of British Consuls or Vice

Consuls at any place within the Kingdom of Siam where the Consuls of other Powers are permitted to reside. But the question whether Consular officers shall be so appointed must depend, in each case, on the amount to which British interests are involved.

\*MR. GIBSON BOWLES: I should like to know whether we are to understand that whatever arrangements are made between France and Siam the Government will insist on the continued observance of this Treaty?

SIR E. GREY: As long as the Treaty remains in force, we shall uphold those provisions of it which are in our own interests.

#### SWAZILAND.

SIR R. TEMPLE: I beg to ask the Under Secretary of State for the Colonies whether, before the Adjournment of the House for the Autumn Recess, he will state the arrangements to be settled for Swaziland, so that time may be allowed for discussion of the same?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): I very much regret that I am not yet in a position to state to the House the terms of the proposed Swaziland Convention; for it is not yet signed. I may say that the delay has not been on our side. But I still hope, before the House rises, that the Convention will have been concluded; and if and when it is concluded, I will immediately communicate its terms to the House.

#### COLLISION NEAR AUCHNASHELLACH.

SIR M. HICKS BEACH (Bristol, W.): I beg to ask the President of the Board of Trade whether the Inspecting Officer of the Board of Trade, in his Report on a collision which occurred last autumn near Auchnashellach, on the Highland Railway, made the following observations: that it is satisfactory to know that very shortly, when the Order issued by the Board of Trade, under "The Regulation of Railways Act, 1889," regarding the use of continuous brakes, comes fully into operation upon the Highland Railway, it will be obligatory to have an automatic continuous brake in operation upon all the passenger vehicles of mixed trains, so that a recur-

rence of an accident of this description, which upon many parts of the system might be very serious, will be well-nigh impossible; and whether the Board of Trade Order is now in operation and has been obeyed; and, if not, what steps he proposes to take to enforce the Order in the interest of the public safety?

MR. MUNDELLA: Yes, Sir; my attention has been called to the Report in question, and the accident to which it refers adds one more to the many instances in which the necessity for a continuous automatic brake has been practically proved. The Order of the Board of Trade made by the right hon. Gentleman comes into force on the 31st December next, and, in the event of a non-compliance with its requirements, the statutory steps will be taken to enforce it.

#### CONTAGIOUS DISEASES IN MALTA.

MR. W. M'LAREN (Cheshire, Crewe): I beg to ask the Secretary of State for War whether he can state the result of his inquiries in Malta as to the Contagious Diseases Regulations existing there, especially in regard to the system of making soldiers point out the women from whom they allege they have contracted disease, and as to the compulsory examination of women; and what steps he is taking to put a complete stop to the entire system?

\*MR. CAMPBELL-BANNERMAN: A Report has been received from Malta on this subject. It appears that the Ordinance of 1861 imposing restrictions on prostitutes is still in force. The Local Government attempted in 1888 to repeal it, but were defeated in the Council of Government by 13 votes to 6, the six being all official Members. A soldier admitted to hospital suffering from venereal disease is requested to indicate the woman from whom he contracted it; but he is not punished if he declines to do so. Formerly this was obligatory on the soldier, but that is no longer the case.

#### SENTENCES ON LEWIS CROFTERS.

\*MR. WEIR: I beg to ask the Secretary for Scotland whether his attention has been drawn to the sentences passed by Sheriff Johnstone, of Dingwall, upon Robert Saunders, aged 60 years; John

Graham, 55 years; Murdo MacIver, 40 years, and James Makay, 40 years, crofters of Borge, Island of Lewis, for taking their horses from a poindfold into which they were placed by Mr. Paul Helm, a local Magistrate and tenant of the farm of Galston adjoining the township of Borge, a farm covering an area of 24 square miles, and formerly occupied by crofters, from which they were evicted and their houses destroyed without compensation; and whether the sentences Sheriff Johnstone passed on these crofters will be remitted?

SIR G. TREVELYAN: I have inquired into this case. Until within the last few years the farm of Galston was fenced, and there were gates on the public road at each end of the farm preventing cattle from outside from straying on to it. Within the last few years these gates and fences have been on many occasions maliciously destroyed. In consequence of this the cattle and horses from outside frequently trespassed upon the farm. In order to prevent this trespass the tenant of the farm (Mr. Helm) recently applied for and obtained interdict against the crofters of the Borge township, and the original interdict and decree were personally served upon every member of the township and explained to them. Notwithstanding this, 30 or 40 horses were apparently encouraged to graze upon the farm, and ultimately were poinded by the tenant. A crowd of 30 crofters armed with sticks then proceeded to break the poind, and four of them were convicted of a breach of the peace, and imprisoned for terms of from 15 to eight days. I think the question of the gates is for the County Council to deal with, and I do not see any ground for interfering with the sentences. I am informed that a considerable part of the farm has been apportioned by the Crofters Commission to the township of Mid Borge.

#### STORNOWAY FISHERY PROSECUTIONS.

\*MR. WEIR: I beg to ask the Secretary for Scotland whether his attention has been drawn to the sentence of three weeks' imprisonment passed by Sheriff Johnstone, of Dingwall, on Norman Macmillan and Donald Macmillan, fishermen, of Stornoway, in consequence of some sea trout having become meshed in

*Mr. Weir*

their nets whilst they were fishing for herrings in Stornoway Harbour near the mouth of the River Creed; whether he is aware that previous Sheriffs have always allowed the right of fishermen to set herring nets in any part of the harbour; and whether this sentence will be remitted?

SIR G. TREVELYAN: The fishermen in question placed their net obliquely across the mouth of the river. They had 18 sea trout in their boat, and 50 more in the undrawn net, and no herring. The proprietor of the fishing prosecuted. The sentence was not three weeks' imprisonment, but, under the Statute, a fine; and, failing payment, three weeks' imprisonment; and at the request of the men 14 days were allowed them to pay the fine. I see no ground for remitting the sentence.

\*MR. WEIR: Will the right hon. Gentleman and his Colleagues facilitate the passage of the Scottish Fisheries Bill to prevent cases of this kind?

SIR G. TREVELYAN: There are some very important provisions regarding salmon fishing in the high seas which my hon. Friend behind me proposes to introduce into the Bill, but these provisions would not have met this case.

#### HIS HONOUR JUDGE LEONARD.

MR. CLOUGH (Portsmouth): I beg to ask the Attorney General whether the Lord Chancellor is aware that at a special sitting of the Winchester Bankruptcy Court, held on Friday, the 18th August, 1893, before Mr. Registrar Godwin, a Petition in Bankruptcy was presented by Mr. C. S. Wooldridge, solicitor, against His Honour Judge Leonard, of the Hampshire County Court, Circuit 51; that the petitioning creditor was Mr. James Moore, Sheriff's officer of the said Judge, an auctioneer of Grove Road (South), Southsea, the amount of the debt being £278 for money lent; that the act of bankruptcy alleged in the Petition was the failure of His Honour Judge Leonard to satisfy two judgments obtained against him by the said Moore, in respect of the amount referred to, one being dated 19th March, 1891, and the other 17th April, 1891; that, on the presentation of the Bankruptcy Petition by the said Mr. Wooldridge, the learned



Registrar said he had been advised that he had no power to make a Receiving Order against the said Judge in his own Court; and that the said Registrar adjourned the case for a month to enable the petitioning creditor to make arrangements for the transfer of the proceedings to London; and what steps the Lord Chancellor proposes to take under the circumstances?

\*THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): The Lord Chancellor is causing inquiry to be made into the matters referred to in the question put by my hon. Friend, but I am not in a position to make any further answer.

#### EVICTED TENANTS.

COLONEL NOLAN (Galway, N.), for Mr. J. REDMOND (Waterford): I beg to ask the First Lord of the Treasury whether the Government propose to include the question of the evicted tenants in Ireland amongst the subjects upon which legislation will be proposed by them in the Autumn Session?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): As I am about to move a Resolution, in proposing which I shall refer to the Business of the Autumn Session, it will, perhaps, be better that I should defer particulars for a short time.

#### MASHONALAND.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the First Lord of the Treasury whether, in view of the fact that Her Majesty's Government hold the South Africa Chartered Company responsible for the protection of British subjects in Mashonaland, Her Majesty's Government will give the Company a free hand in dealing with Lo Bengula, and withdraw their prohibition against an offensive movement; whether it is not a fact that in warfare, especially with savage races, defence is often best secured by taking the offensive; and whether it is a fact that, within the last few years, Lo Bengula's impis have massacred over 10,000 unoffending Mashonas?

MR. W. E. GLADSTONE: It is not the intention of the Government to modify the instructions they have already given with regard to the conduct of the Company. As to the question whether

it is not the fact that in warfare, especially against savage races, safety is often best secured by taking the offensive, I am extremely reluctant to make myself a judge of the rules of warfare. It may sometimes happen that it will be wise to jump out of a carriage going full gallop—[laughter]—though rarely, or to jump out of an upstairs window where there is a fire. But these questions, I think, must be left to decide themselves according to the circumstances of the case. I find that the Colonial Office have no information to the effect suggested by the hon. Gentleman, that Lo Bengula has destroyed more than 10,000 unoffending persons. But if they received such a statement as that they would view it with some degree of incredulity.

SIR E. ASHMEAD-BARTLETT: Is it not substantially the fact that Lo Bengula's impis have massacred a number of unoffending people in Mashonaland?

MR. W. E. GLADSTONE: I am quite sure that the Secretary of State will give any information that he has to submit to the hon. Gentleman; but I do not think it would be wise in me to give an answer without having made particular inquiry.

#### CHOLERA ON THE HUMBER.

MR. HENEAGE (Great Grimsby): I beg to ask the President of the Local Government Board whether he can give any definite and reliable information with regard to the number of cases of Asiatic cholera in the Humber ports?

SIR W. FOSTER: I am sorry to have to inform the right hon. Gentleman and the House that we have received from the Humber ports news of a very unsatisfactory character. Early last week it came to the knowledge of the Local Government Board that a fatal form of diarrhoea was prevalent at Grimsby. On obtaining that information we immediately sent an Inspector to that port, and he found that the persons who had already died had been speedily buried. While he was there—in fact, on the day after his arrival—another death occurred, which has since, from *post mortem* examination and subsequent investigation by experts, proved to be a case of Asiatic cholera. There was a second death on August 31, and two

deaths on September 2, in the Grimsby district, from Asiatic cholera. As regards the Port of Hull, three deaths, at least, from cholera have occurred within the last few days. We have no information from Hull or Grimsby as to the course of the disease yesterday, and that is, so far, favourable as regards the position since Saturday.

MR. HENEAGE: Is it not a fact that the number of cases which have been actually ascertained to be Asiatic cholera is limited to five at Cleethorpes, and that there is not a single case in the town or Port of Grimsby?

SIR W. FOSTER: The cases are given to me as occurring in those ports to which the right hon. Gentleman alludes—the two cases at Cleethorpes occurred, one on August 31 and the other on September 1; but the serious element in the situation lies not so much in the number of cases, as in the fact that, for some weeks past, there has been a fatal form of diarrhoea prevalent in that port.

MR. HENEAGE: Are not all the five cases at least a mile from the town or Port of Grimsby?

SIR W. FOSTER: I do not dispute the accuracy of the topography of the right hon. Gentleman. The cases are returned to us by the Urban Sanitary Authority; and, therefore, I have been obliged to give the facts broadly as occurring within their district. We have every reason to think that during the past week, and possibly previously, the Local Authorities have done all they can to prevent the spread of the disease.

COMMANDER BETHELL: Can the right hon. Gentleman say definitely what is the character of the disease which has broken out at Hull?

SIR W. FOSTER: It is definitely known; and I am sorry to say that it is Asiatic cholera.

## MOTION.

### BUSINESS OF THE HOUSE.

#### RESOLUTION.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) rose to move the

*Sir W. Foster*

Resolution of which he had given notice with regard to the Business of the House during the remainder of the Session. The right hon. Gentleman said: In rising to move the Resolution of which I have given notice, I may just as well state at the outset that, on two points which I will presently explain, we propose somewhat to relax and modify that Resolution; but I will not refer to that matter now. We have already apprised the House that we shall propose—of course, we cannot tell on what day the discussions upon Supply and upon the Appropriation Act will come to their termination—but whenever that day does arrive we shall propose to adjourn till November 2 for what we have termed the Autumn Sittings. These Autumn Sittings are expected to last till the Christmas holidays, and I think before I propose the Resolution which would give greater stringency to the Rules limiting the proceedings in this House with reference to the increase of despatch, I ought to indicate to the House what are the views of the Government with respect to the employment of the time which will be made available during those Autumn Sittings should they be accepted by the House. I can assure the House that the Government are sensible to the difficulties of determining that question at the present moment. They have felt that it is their duty to remind the House that—where the quantity of time is limited, which it would be in this case—the limits of time are inexorable. They can only be accepted and submitted to, and the best way to turn that time to account is, in our judgment, carefully to view the calls upon us as a whole, and to make the best and fairest selection of Business that we are able to devise for the employment of that time, and not to hold out vague and indefinite hopes, when a laborious Session such as this has already advanced so far, which in all probability we may not be able to fulfil. We have considered many urgent claims upon the time of the House, and what we feel is that our only choice is to select the best and the most urgent claims among many which are both urgent and good, but which the time of the House, we fear, at present will not enable us to satisfy. We have arrived at the conclusion that there are two claims to which it is our duty to give a prominent place

during the Autumn Session. One of those is the claim attaching to the Bill relating to employers' liability, which has already reached an advanced stage, and with regard to which we think the labour bestowed upon it ought not to be entirely thrown away. The other is a Bill which, we believe, by the majority of the House, will be thought to have the highest of all claims upon us—namely, that Bill which is known by the name of the Parish Councils Bill. It would be premature if I were to endeavour minutely to point out the allocation of the time in the Autumn Session, from day to day and week to week, and that will not be expected. But the course which will be taken at the outset will be this: that we shall ask the House to read the Parish Councils Bill a second time, and, it having been read a second time, in the brief interval which would naturally occur before going into Committee, we should propose to take the Employers' Liability Bill, with the hope of bringing that to its conclusion. Looking at the two Bills, we think that the time between November 2 and the Christmas holidays will be amply sufficient in all reason for disposing of those measures. With regard to anything beyond them, our opinion is that we should not be justified, in the present state of circumstances, in holding out any expectation. It is a matter which hardly admits of an absolute mathematical decision, but in these cases it usually happens that expectations as to time are more apt to be exceeded than to allow of any economy. Therefore, I think it right to say, with regard to various questions which have been addressed to me as to other subjects which undoubtedly have a very high place in the minds of many hon. Members, that we do not see our way with any confidence to get beyond the amount of Business that I have indicated in connection with these two Bills, and we cannot bind ourselves to any other expectation. In our opinion, the two subjects I have named stand very distinctly, in public interest and importance, at the head of the list, and we have endeavoured to meet what we think is the prevailing opinion of the House in the selection we have made. With respect to the Resolution which I have to propose, the House will re-

member, no doubt, that, under the peculiar circumstances of the present Session, the House, at an early period, placed at the disposal of the Government nearly the whole of its time; and, unless the House had taken that course, it is quite clear that we could have made no effectual progress with the important measure the discussion upon which was concluded upon Friday last. The ordinary Session of Parliament lasts from six to seven months, but I am afraid that the Session in which we are now concerned promises to last from eight to nine months, and we have, therefore, no desire in the remaining Sittings to ask for what is beyond the necessities of the case. There are two points upon which I understand, through various channels, that some uneasiness and anxiety prevail. While I believe that there is a very general wish to meet equitably the necessities in which we stand, and to give all reasonable facilities for greater despatch in carrying through the Business of the House, in the first place it is suggested that the absolute prohibition of what are called dilatory Motions in relation to Government Business is a stringent measure. This I am not altogether prepared to deny. In fact, the case is wholly presented to the House as a case of urgency, and a case, generally speaking, of necessity; but there is such a thing as satiety of contention, and if there be a limit to the human appetite in this respect I must say I think the rich banquet which we have enjoyed now for six or seven months must have produced a sentiment approaching to that satiety; and, therefore, we are not indisposed to meet any demand which seems to us not to be unreasonable. We therefore propose that the prohibition of dilatory Motions shall be limited to the hours before 1 o'clock, and shall not extend beyond that hour. There is another change which is of some importance, perhaps of considerable importance, with reference to the Autumn Sittings. The apprehension has prevailed that there was on the part of the Government a general intention, in fact, to temporarily abolish the Twelve o'Clock Rule, and to prolong our Sittings far beyond the hour of midnight. We think we may venture to give up the proposal to deal wholesale with the Twelve o'Clock Rule during the Autumn

Sittings, and the Motion will run in these words—

"That for the remainder of the Session (unless the House otherwise order) the House do meet on Friday at Three of the Clock. That Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to every day of the week, and that the Question on any Motion appointing a Saturday Sitting be put forthwith. That, until the Adjournment for the Autumn holidays, Government Business, and the appointment thereof, may be entered upon at any hour though opposed, and be not interrupted under the provisions of any Standing Order relating to the Sittings of the House, except on Wednesdays ;"

—therefore, the Autumn Sittings will be exempted from any interference with respect to the Twelve o'Clock Rule—

"and that, before One o'clock a.m., no dilatory Motion be moved thereon except by a Minister of the Crown."

The House has already shown its disposition to make great sacrifices in the discharge of duty. I believe that disposition is not yet exhausted. I feel sure that the House will think that the Government, in making these modifications of the Resolution, have done what they could to economise their limited means, and to make the proposals for such economy as acceptable to the various quarters of the House as it is within their power to make it. I beg to move the Resolution.

Motion made, and Question proposed,

"That for the remainder of the Session (unless the House otherwise order) the House do meet on Friday at Three of the Clock. That Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to every day of the week, and that the Question on any Motion appointing a Saturday Sitting be put forthwith.

"That, until the Adjournment for the Autumn holidays, Government Business, and the appointment thereof, may be entered upon at any hour though opposed, and be not interrupted under the provisions of any Standing Order relating to the Sittings of the House, except on Wednesday, and that, before One o'clock a.m., no dilatory Motion be moved thereon except by a Minister of the Crown."—(Mr. W. E. Gladstone.)

MR. A. J. BALFOUR (Manchester, E.): Before I discuss the important statement which the Prime Minister has just made, I should like to ask him whether I have rightly caught the observation made in the earlier part of his remarks that the Appropriation Bill is

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to be taken before we adjourn for the holidays? That, surely, is an unusual course, and one which will be extremely inconvenient to the officers of the House, who will have to remain here during the week in which the Appropriation Bill is carried. Neither does it further Government Business, inasmuch as the Business of the Autumn Session could be carried on while many of the stages of that Bill were being proceeded with. I only throw that out as a practical recommendation. I pass now to the right hon. Gentleman's statement. He has told us that he means to have an Autumn Session, and he has told us what Bills of importance he means to take in the course of that Autumn Session. In my judgment, an Autumn Session is both unnecessary and inexpedient. I do not believe that the legislative machinery can work smoothly or effectually if you ask from it too much; and I think to ask the House of Commons to carry on not merely the ordinary Business of an ordinary Session, but business of exceptional difficulty, involving an exceptional strain on every Member of the House; to ask them to carry on that Business from January till the end of September, and then to meet again in November, after perhaps not more than a month's holiday, to discuss other questions which, whether they be controversial or not, are, at all events, very complex and very important, involving very great interests, is to throw a burden on the machine which I do not believe can properly be carried. I am afraid we shall find, when the Autumn Session comes, we are not in a position to deal as effectually with the very important problems brought before us as we might have been had we come to their consideration fresh after the ordinary Recess. It would be superfluous, and would lead to unnecessary controversy, to go in detail into the mismanagement which, in my opinion, has given that justification of their proposals which the Government allege to exist, and I shall content myself with the general protest I have made. I pass to say one word about the Business which the Government mean to take in the Autumn Session. I must say if the Government meant to select from their not inconsiderable programme two Bills which have not a Party character about



them, and which are, I think, desired in some shape or other by a considerable number of persons in this country, I think they could not have done much better than choose the two Bills which they have selected. Whether it will be possible really to discuss these two Bills within the time specified is a question which I am quite unable to answer, as it depends not on Party considerations, but on the number of important questions which may be raised in the course of the discussion of these two important measures. With regard to the Employers' Liability Bill, I can only say that, though it is not a measure which, to my mind, shows very great originality or grasp on the part of those responsible for it; though it is rather taken wholesale, without apparently very much meditation or consideration, from the programme of the Trade Unionists, yet I think it is possible when it is passed it may settle, not perhaps in the most satisfactory way, the question with which it deals for some time to come. Two great questions undoubtedly must be discussed upon it. They have not yet been discussed, and will have to be dealt with at length by the House. One is the question of contracting out, and the other is the question raised by the manner in which the Bill deals with the shipping interest. These are questions of very great importance, and I think it improbable that the House will be able to dispose of them quite as quickly as the Government hope. With regard to the other Bill, I need only say that, whatever be its merits or demerits, it is certainly not a Party question. We on this side are, at least, as anxious as gentlemen on the other side of the House to see the broad foundation of Local Government which we have laid completed. But I cannot conceal from myself that the Bill does raise a great many important issues, and, while it may require limitations in some directions, I think extensions in other directions ought to be attempted; and probably it will be found, when we come to discuss it—if the Government mean to deal in one Bill with the whole measure which they have sketched out to the House—there may be some difficulty in adequately and completely discussing it, unless we are to look forward to a repetition of those strange measures of furthering Government Business with which we have

become too unhappily familiar in the course of the last few months. I pass from the Autumn Session, which only indirectly comes within the scope of the Resolution, to the discussion of the Motion itself, and I congratulate the Government in having on two most important points profoundly modified the Resolution as it originally stood on the Paper. When I heard the terms in which the Government couched their proposal I felt that a blow was being aimed at Parliamentary liberty, perhaps even more far-reaching in its character and more capable of abuse in the future than even those other extraordinary measures to which I have already alluded, and on which I do not intend to say another word. But the Government, in a conciliatory spirit—on which I congratulate both them and the House—have altered the Resolution in two great respects. They have altered it as regards the power of moving dilatory Motions, and they have altered the extent of their action in regard to the Twelve o'Clock Rule, so as to limit it strictly to the period which is to intervene between the present time and the beginning of our Autumn holidays. I think the Government were well advised in making the change with regard to dilatory Motions. What was the old procedure when some of us first entered the House? There was then no Twelve o'Clock Rule; there was no limit put upon the Business of the House except the fatigue of the Members. What protection, in these circumstances, had the minority when the small hours of the morning came? They had this protection only:—They proceeded to move alternately the Adjournment of the Debate and the Adjournment of the House until it became perfectly clear to the Government that the controversy was one which, if continued, would redound neither to the convenience of Members nor to the credit of the House, and after a brief period a compromise was arrived at and everybody went happily to bed. I do not know whether that was a very good system. I think it has been greatly improved by the employment of the Twelve o'Clock Rule. To abolish the Twelve o'Clock Rule and to sweep away the old system at the same time is to hand over the minority bound hand and foot to the majority, and, as we know, not this particular Opposition, but all Oppositions, are the

people upon whom devolves the carrying on of such criticism of Government Bills as may be necessary. The Government themselves usually take so favourable a view of their own legislative projects that they think they are quite good enough to pass through the House without any discussion at all. It is plain that there would be a very great temptation to the Government, possessing, as they must always possess, a large majority towards the end of the Session, to carry to an undue length the discussion of their Business unless the minority had restored to them the weapon with which alone they could fight before the Twelve o'Clock Rule was established. I pass from the question of dilatory Motions—which does not prevent the Adjournment being moved before Business commences—to the other great concession which the Government have made—namely, that which refers to the time during which the Twelve o'Clock Rule is to be abrogated. As the Motion originally stood, there was to be no Twelve o'Clock Rule during the Autumn Session. I am glad the Government have not adhered to that view, and have now confined it to Supply; and, having done so, I hope they will not ask too much either of their own Party or of the officers of the House; and that if the Adjournment does not take place at 12, at all events the discussion will not go on for an undue length of time. Only one question remains for me to call attention to, and that is the question of Saturday Sittings. I had rather hoped that the provision in the Resolution about Saturday Sittings was to be confined, as the provision about the Twelve o'Clock Rule is confined, to the remainder of the present Session, and that the right hon. Gentleman did not contemplate in the Autumn Session requiring us to attend, not only from Monday till Friday, but on Saturday also. I think that is a power so easily abused, a power which throws such an enormous burden on the House, and such a crushing load on the officers of the House, that, when we are in Session treating of Bills, the Government ought not to be permitted to indulge in Saturday Sittings without being required to debate the question first. Of course, if the Government were content to confine this Resolution to Supply, they would only be carrying out the in-

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variable practice. I think the Government would not object, acting in the conciliatory spirit which they have already shown, to extend the limitation they have adopted with regard to the Twelve o'Clock Rule to Saturday Sittings. We are now in the eighth month of an arduous Session, and I think the Government really cannot ask us, when we come to the tenth month, to sit not only five days, but six days a week. When the Autumn Session arrives, if the Government find they have not sufficient time to carry out their programme, they will be able to come forward with some new proposal, which we can discuss in an equitable spirit. After the conciliatory speech of the right hon. Gentleman, I do not wish to sit down after having given expression to any criticism of which the right hon. Gentleman may think he has a right to complain; but I must say that I think our convenience would have been better consulted if we had had rather longer notice of the Motion, and especially of the terms in which it was to be proposed to the House. Owing to the want of that notice, we all came here expecting to have a more arduous battle to fight than, I am glad to say, now lies before us, and much individual trouble would have been saved had the House known what the Government intended to propose. Though I venture to hope that the slight further modification which I have asked for may be granted by the Government, I am happy to say that the proposals made are incomparably better than we had reason at one time to fear they would be.

\*SIR C. W. DILKE (Gloucester, Forest of Dean) said, that there was only one word in the courteous and conciliatory speech of the Leader of the Opposition (Mr. A. J. Balfour) of which notice need be taken. That was the word "unnecessary," which the right hon. Gentleman applied to the Autumn Session. The sole cause of an Autumn Session being necessary was the position that had been taken by gentlemen opposite with regard to the Local Government (England and Wales) Bill. The object of the Opposition had been that that measure should be held over to next Session. An offer had been made on the subject—[*Opposition cries of*

“No, no!”]—he did not say by the Leader of the Opposition, but certainly an offer had been made by the organs of the Party with regard to that Bill. The object of the supporters of the Government was to deal with the Bill during an Autumn Session, in order that the course might be clear for the Welsh Disestablishment Bill next Session. The Prime Minister had spoken of the Local Government (England and Wales) Bill under a name which often filled him (Sir C. Dilke) with dread—the name of “The Parish Councils Bill.” He was bound to protest against the use of that name, because it was not the proper title. The Bill applied not only to parishes, but to every inhabitant of England and Wales, and the portion which did not apply to parishes was of overwhelming importance. The right hon. Gentleman (Mr. A. J. Balfour) thought that the Employers’ Liability Bill was likely to take a good deal of time during the Autumn Session, but it had been fully considered in Grand Committee, in which, in spite of the absence of a considerable number of Conservatives and Liberal Unionists, all sections of the House were well represented. Although it might be thought necessary to revive that discussion, the questions raised by the Bill could not be better argued out than they had been in Committee. He thought, also, that but little time need be expended on the Local Government (England and Wales) Bill, which was called by the Prime Minister the Parish Councils Bill, unless gentlemen opposite were so minded. He took it that the object of suspending the Twelve o’Clock Rule during the present Sittings was mainly to enable the Government to make progress with certain non-contentious measures which had been passed in the other House. In that connection he wished to know what the Government proposed to do with respect to the Bill for the abolition of the Presidency commands? He trusted that some of the moments after 12 o’clock might be devoted to the passage of that Bill, which it was absolutely necessary to pass at the earliest period if the Armies of India were to be placed in a position to meet any forces that might be brought against them. He should like to know, also, whether the Prime Minister would consider the advisability of devoting Saturday Sittings during the Autumn

Session to the Eight Hours (Mines) Bill, and whether the Indian Budget would be taken during the current Session, which, he thought, would be more satisfactory than deferring it till the Autumn? He thanked the Government for the course they had taken, as he believed that their supporters in the country expected of them some such action. He thought, also, that the two measures which they had selected were well chosen, and hoped that, having initiated a strong policy, they would go forward with their programme and complete it in the course of the present year.

MR. J. CHAMBERLAIN (Birmingham, W.): The Resolution which the Prime Minister recommends to the acceptance of the House, even with the Amendment which has been introduced, is a very strong order indeed. As it stood on the Paper it amounted to very little less than a revolution of Parliamentary practice and procedure, and as it stands now it is a very considerable extension of what has happened in previous years. As I understand it, there are three points on which the Government require the assistance of the House. In the first place, they propose to have an Autumn Session, and during that Session to take the whole of the time for Government Business. In the second place, they propose to extend all the Sittings, prior to the Autumn Session, practically till 1 in the morning. [Mr. W. E. GLADSTONE dissented.] The Prime Minister, in suspending the Twelve o’Clock Rule and preventing dilatory Motions till 1 o’clock, will, I think, produce the result of prolonging the Sittings until 1 in the morning. The third point is that the Prime Minister proposes to reserve practically to the Government absolute discretion with regard to Saturday Sittings during the whole time that the House is to sit. With regard to the Autumn Session, my right hon. Friend (Sir C. Dilke) has enunciated a very curious doctrine. He said that it had become necessary, owing to the action of the Opposition with regard to the Local Government (England and Wales) Bill. But, as far as I am aware, the Opposition have taken no action whatever. I certainly know of no offer or compromise such as has been suggested having been made from the only quarter

from which it could come—namely, the Leader of the Opposition—and I challenge the Government to say whether any such compromise has been suggested to them? My right hon. Friend, with his experience of newspaper literature, actually took what appeared in what he was pleased to call the organs of the Opposition as though they were serious and *bonâ fide* offers from the Opposition to the Government. I venture to say that no such offer has ever been made. It is certainly a very strong thing that after such a Session as we have gone through we should be asked to have another Session in which, inasmuch as the whole time is to be taken up by Government Business, the constant attendance of Members will be necessary. It is that very thing that has made the present Session so burdensome to the Officers and Members of the House. We have not been discussing, as in ordinary Sessions, alternately Government Business and Private Business, which generally only interests a comparatively small proportion of the House; but for the whole time we have been discussing Business to which it has been necessary for the whole House to give its attention. However, I will assume that in the hole in which the Government find themselves they are obliged to do something. My right hon. Friend said that the course proposed by the Government was expected of them, and it is well known that the present Government always does what is expected of them from a certain quarter. The 1 o'clock extension, I think, was a proposal to which the Government might give further attention. It is proposed that the Ministers of the Crown only should make dilatory Motions. That is another extension of the responsibility and power of the Ministers of the Crown, and it is a precedent which may afterwards be found very distasteful to those who now support them. I gather that it is not the desire of my right hon. Friend that our Sittings should, as a rule, last till 1 o'clock; and if that is so, will he see any objection to arranging that a dilatory Motion cannot be moved by anyone other than a Minister up to 12 o'clock instead of 1? On another point, is it intended that there is to be any protection for Sunday, or are we to sit on Saturday nights until the Government have decided that they have done the requisite amount of work,

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without reference as to whether we have entered on the hours of Sunday or not? As to Saturday Sittings, I have only to express my entire agreement with the opinion that it would be an extraordinarily arbitrary thing to have them throughout the Autumn Session. I do not think that a Motion of this kind ought to be regarded as a Party question. If there is any advantage connected with the increased powers we are giving the Government, you may be sure that some other Government will benefit by them. Whatever the benefit is both Parties will share it, and we have to regard the matter only from the point of view of the interest of the House and of the Debates, and not from the consideration whether at the moment it will benefit one Party or another. Whenever a Government takes a new departure and extends an old precedent, as they are doing now, what they, perhaps, intend as an exception becomes hereafter the rule. No matter how much the Leaders of the Opposition for the time being may object to the extension, when it comes to their turn and they are subjected to pressure from their supporters, they will be obliged to follow the example. I think we have a proof of that in what has been going on in the present year. The Government have based their action this Session in regard to the Closure on a precedent which they themselves opposed at the time. They have felt themselves compelled not only to adopt the precedent which they disapproved of, but to go far beyond it. I say that, whatever you do to-day—and, for my part, I care very little how much or how little you do—it is our duty to warn you that what you are doing now your opponents will certainly do hereafter. As to the Business of the Autumn Session, I understood my right hon. Friend to say that the Autumn Session will terminate when the two Bills to which he alluded had been got through.

MR. W. E. GLADSTONE: My right hon. Friend has gone a little beyond what I said.

MR. J. CHAMBERLAIN: Of course, it is perfectly clear that these two Bills will take a considerable portion of the available time of the Autumn Session; but the point on which I want informa-



tion is whether there will be an assurance that, supposing they are got through quickly, the Government will not bring on other Bills or Business? My right hon. Friend below me (Sir C. Dilke) suggests that they should take advantage of the Autumn Session to deal with the Eight Hours Question. Well, Sir, I am in favour of the Eight Hours Bill, and on two occasions have voted for it; but I would point out that the opposition during the Autumn Session will be of a very different character if it is understood that any spare time which may result from the diminishing attention of the opponents of the Government is to be employed in pushing forward other measures of an extremely contentious character. I, therefore, think it will be very important that the Government should make it perfectly clear what their intentions are. As to the two Bills it is proposed to take, I entirely agree with what has been said as to their non-Party character, but they are highly controversial. If I take the Employers' Liability Bill, on which I consider myself somewhat of an expert, I may say that, although I do not think that Bill is likely to occupy a very lengthened time, a considerable number of days may fairly be claimed for the discussion of the very important points raised by it. My right hon. Friend (Sir C. Dilke) referred to the discussion of that Bill in the Grand Committee. Well, that Committee was arbitrarily and tyrannically appointed by the Government to consider the Bill, against the wish and desire of the whole Opposition, and against the wish and desire, no doubt privately expressed, of a considerable number of the supporters of the Government. They thought that the Bill was one which might have been safely left to a Committee of the Whole House, and had that course been followed I am sure it would not have taken up more time than it will do now. Under the circumstances we are not going to give up our right of discussion upon Report. The Leader of the Opposition referred to several important questions arising under that Bill; but there are others which, in the interests of the working classes, ought to be discussed. The Bill, in my opinion, is extremely incomplete and imperfect, and will not do justice to those whose

interests it is intended to serve. It will be our duty to extend and complete it. As to the Parish Councils Bill, my right hon. Friend (Sir C. Dilke) says there are very few points on which it will require discussion. Well, in the first place, there is the whole question of the administration of the Poor Law, which, for the first time, has been brought before the House in a Local Government Bill. There is also the whole question of the boundaries and grouping of parishes—a question which concerns and interests every parish in the country, and in reference to which several important points of principle have to be decided. In the last place, there is the question of the future administration and government of local charities. All these are questions of very great importance, and when they occur in a Bill of 71 clauses and two Schedules, I think the Government are rather sanguine in imagining that, without very strong measures indeed, they will be able to force them through in the Autumn Sitting. I have just calculated how many ordinary days there are in the Autumn Session. Reckoning five days in the week, there will be just 32 days. [Mr. W. E. GLADSTONE: 37.] My right hon. Friend says 37 days. In that case the Sitting would last up till Christmas Eve. I have hardly attached sufficient importance to the zeal of the Government and their supporters. I thought that probably they would stop about a week before Christmas Day. Does the House know how long it took upon the consideration of the Local Government Bill in 1888, which did not raise any greater question of principle, and certainly no more questions of detail, than the present Bill—I mean in the shape in which it was presented? I do not think it would be disputed—the President of the Local Government Board (Mr. H. H. Fowler) would not say it was of less importance than the Bill he is in charge of. Well, that Bill took 41 days; and if it took 41 days, it is reasonable to ask how long a Bill of this importance, *plus* the Employers' Liability Bill, is to take, and whether it will be possible, or anything like it, to get through both in 37 Sittings? That is a matter we can consider when we come back fresh from our holidays in November. I only want to say that, with a Bill of so much detail,

the Government certainly do run some risk of finding that even their good intentions are a little falsified. We only ask the Government now to consider whether, with regard to the future as well as the present, they are really wise in pressing these extreme advantages and privileges both for the Autumn Sitting and the continuance of Supply?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby):

I am sure, Sir, it must be a satisfaction to both sides of the House that a matter regarded by some as very contentious has been met in this friendly spirit. We all feel that there must be as much give and take as the circumstances admit of on all these questions of business. I am prepared to answer some of the questions; but there is hardly anything left to argue of a contentious nature. The right hon. Gentleman opposite, in his courteous speech, asked as to the Appropriation Bill. It is not usual, but it is not unprecedented, to take it before the conclusion of the Session, and, under extraordinary circumstances, to take other business afterwards. That was done in 1882. We propose to do it this year. There are some financial difficulties which might be got over; but still inconvenience would be caused by putting the Appropriation Bill down for November. My right hon. Friend (Mr. J. Chamberlain) asked as to the Indian Budget. It has always been the practice to take it during the progress of the Appropriation Bill, and we propose to take it during that period. I am extremely glad that my right hon. Friend has declared that the measures selected for the Autumn Sitting are not regarded as Party measures. I accept that declaration, and I think he need not have addressed to me those warnings against accepting the dogmatic declarations of Party newspapers. I am glad of his repudiation of the declaration of omniscient editors as to the policy of the great Parties in the State. We may take it that the two measures proposed for the Autumn are measures which everybody wishes to see pass into law in some form or other. My right hon. Friend said truly that powers taken by one Party to-day will be taken by another Party to-morrow. We do not act on any other

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assumption than that. The other day the Leader of the Opposition remarked that matters were discussed in a very different manner under the *régime* of the modern democracy from what they were in former times in an unreformed Parliament. That is true. One of the consequences is this—that more power has to be given to the Government, who are the organic Representatives of the majority of the House. We are coming more and more to see that Bills cannot to any great extent pass except in the hands of the Government, and that is the reason why from year to year it has been found necessary to give to the Government more control of the time of the House than was given in former times. My right hon. Friend asked as to the method of dealing with other Bills besides those mentioned. The right hon. Member for the Forest of Dean (Sir C. Dilke) asks for a day for a particular Bill. The Government feel, in asking for these powers from the House, that they are not at liberty to pick and choose other measures and give them precedence. We are asked if we intend to take any other measures. Our object certainly is to promote these two measures; and although we cannot bind ourselves for the House, it is not our intention to promote other measures than those two in the Autumn Sitting. I hope that is regarded as satisfactory. Something has been said about Saturday Sittings. It cannot be supposed that Ministers are particularly eager for Saturday Sittings. The Saturday Sittings are proposed principally, almost exclusively, for the purpose of concluding Supply. That is desired by us—desired, I think, by both sides of the House. With regard to the Autumn Sittings, it is not in our contemplation to use Saturday Sittings as an ordinary instrument; but we do not wish to exclude ourselves from the benefit, if necessary, in particular cases. My right hon. Friend referred to the Sabbatarian question of Saturday Sittings extending into the Sunday with the Twelve o'Clock Rule suspended. At present there is no protection against Saturday Sittings going on into the Sunday. I think he may trust us—

**MR. T. W. RUSSELL** (Tyrone, S.): Will you move the Adjournment?

SIR W. HARCOURT : There is not the least protection now. I think the House may trust the Government—[“No, no !”]—well, if you will not trust the Government, perhaps you will trust individual Ministers of the Crown that they will have no desire to prolong the Saturday Sittings. Under these circumstances, after the concessions which have been made, I think the Resolution may be taken as accepted by the House.

\*MR. J. LOWTHER (Kent, Thanet) said, he did not rise for the purpose of introducing a discordant note, but he desired to draw attention to the Government arrangements for this Session. Supply was always regarded by Ministers as a nuisance ; but the House of Commons had always held that its main function was the control of Supply. But how could they deal with Supply if they had the Estimates thrown at their heads in the month of September ? This was the first Session in which Parliament would have sat in every month of the year except one. He did not deny that when the House decided to bring the Session to a close, it was the duty of the Government to arrange the business for the remainder of the year. That was the course always pursued in the House. But he would point out that, in present circumstances, the House could not control Supply as it ought to do. The House was not a mere law-making machine. They had a function to discharge in reference to the expenditure of the country. The result of the present action of the Government would be that the acceptance of this Resolution would be converted into a precedent, and that they would be told in the future that the House of Commons had agreed to it unanimously. The Chancellor of the Exchequer said the Resolution, as amended—

SIR W. HARCOURT : I did not use the word “ amended.”

\*MR. J. LOWTHER said, the word might have not been employed, but it conveyed in substance what the right hon. Gentleman meant. He wished to impress upon the House that the rights of private Members—their rights and privileges—had been diminished by the Government in the past, and now it was proposed still further to encroach upon them. He must especially enter a protest against the novel proposal that

no Motions were to be accepted of a dilatory character unless from Ministers of the Crown. It was the first time they had heard of such a doctrine as that. He had always been under the impression that one Member of Parliament was as good as another ; but that, it appeared, was to be the case no longer. The Government had taken a course that would altogether snuff out the rights of independent Members who in the Constitutional period before the days of “ gagging ” had been inaugurated, refused, as the Chancellor of the Exchequer was aware, to be bound by any agreements which might be come to between the two Front Benches when any interference with their privileges was involved. He protested against the action of the Government in this matter. He wished to know whether the Government gave a pledge that no business of a controversial nature other than Supply would be taken before the Recess ?

SIR W. HARCOURT : The Government propose to take only one or two non-controversial Bills, such as the India Command Bill, before the Adjournment.

\*MR. J. LOWTHER said, of course he did not wish to press for an immediate statement in full detail, but no doubt the Government would be in a position in a short time to state distinctly what Bills they proposed to take before the Adjournment.

SIR W. HARCOURT : Certainly.

MR. SEXTON (Kerry, N.) : Mr. Deputy Speaker, so far as the Irish Members are concerned, I believe I can say with confidence that we wish to give the Government every assistance, and even to make all sacrifices that may be necessary, in order to enable them to carry their programme in the Autumn Sittings. The Irish Members will have to make considerable sacrifices—much greater sacrifices than other Members. [*Laughter.*] Yes ; we will have to make greater sacrifices, because we live at a greater distance, and it is, indeed, a great sacrifice to have to come here. But, so far as that goes, we are perfectly prepared to do so. I am, however, inclined to urge upon the Government that when they make concessions after the experience we have had during the present Session, I hope, and we hope, that they will not make any concession

which would be likely to render the Autumn Sittings abortive, but that, out of consideration for all their supporters, they will take care that the Autumn Sittings will realise the expectation with which they are looked forward to by the British people. I observe that the Prime Minister, in the statement he made, did not make any specific reference to the Evicted Tenants Bill. I admit that the Autumn Sittings are extremely likely to be occupied by the Employers' Liability Bill and the greater measure by which it is to be succeeded; but I did not understand him to withhold the hope of making progress with the Evicted Tenants Bill. [*Laughter.*] The hon. Member for North Islington (Mr. Bartley) makes merry at the expense of the misery of homeless people in Ireland.

MR. BARTLEY (Islington, N.): Mr. Deputy Speaker, I must resent that remark. I did not laugh at the people at all. I laughed at the idea of any progress being made with this Bill at that period of the year.

MR. SEXTON: If the hon. Member will be good enough to keep quiet when an inoffensive speech is being made I will make no allusion to him. The Government themselves a year ago appointed a Special Commission, and after that Commission had reported we balloted for a day and obtained one for a Bill on this subject. That Bill was debated throughout nearly the whole of a Wednesday, and I think, after the speech that was delivered on that occasion by the right hon. Gentleman the Chief Secretary to the Lord Lieutenant (Mr. J. Morley), we would have carried the Second Reading had not it happened that the late Chancellor of the Exchequer (Mr. Goschen) thought it convenient to rise at the last moment and talk the Bill out. Well, Sir, it is a duty I have to perform—it is a duty I cannot postpone—to make specific reference to the question of the Evicted Tenants Bill on this occasion. The Report of the Royal Commission was that the question was an urgent one. It is an urgent one. It is one of great gravity, and it is most intimately connected with the state of social order in Ireland. I think the Chief Secretary will acknowledge that, and there is no man in the House who knows it better. [Mr. J. MORLEY signified assent.] I only rise to say these few words indi-

*Mr. Sexton*

cating my view, and the view we take here on these Benches, of the case. What I have to urge—and I urge it by way of a question—is to ask whether before these Sittings conclude the Government will be willing to take advantage of any occasion which may arise to enable us to receive, what I think we have a right to obtain, if we possibly can; and that is, firstly, a decision and an expression of the judgment of the House upon the principle of this Bill; and, secondly, whether the Government will be disposed to afford facilities, whether now or in the Autumn Sittings, to make further progress with it? In connection with that inquiry, I would also ask whether the Government themselves have come to any conclusion upon the Report of the Royal Commission which they appointed; and whether, if not, the subject is, at any rate, not excluded from consideration, and that we may hope that, in the near future, whether in connection with the Bill of the Irish Members or apart from it, we may trust the Government will consider it in their power to aid us in arriving at a reasonable conclusion?

MR. J. MORLEY: The appeal my hon. Friend the Member for North Kerry has made is one the Government ought to deal with without delay. I entirely agree with my hon. Friend that the question of the evicted tenants is one of great gravity and some urgency, and one that goes to the root of social order in Ireland. In all these propositions of my hon. Friend I cordially agree; and he only stated the truth when he said that no one had better reason for knowing the truth than I have. Both from what happened before the Session began, when, last August, the Irish Government nominated the Commission, from what passed in the discussion on the proceedings of this Commission, from what passed in the discussion upon the Bill to which my hon. Friend has referred—introduced, I think, by the hon. Member for North Leitrim (Mr. P. A. M'Hugh)—the Government earnestly feel the necessity of dealing with the question. And although, as I indicated on the Second Reading of the Bill, the Government could not accept all the details of the Bill, they did accept the principle upon which the Bill was framed, which was one of the principles laid down



in the Report of the Evicted Tenants' Commission. We could not accept the doctrine of compulsory indiscriminating reinstatement; but otherwise we accept the principle of the Bill as laid down in the Report of the Commission on this question. As the House and my hon. Friend will understand, owing to the great pressure to which the House has been subjected upon Irish Business during the previous months of this Session, it would be asking almost more than human nature—political human nature—could be expected to give, for us to undertake to provide more time for discussion of another Irish Bill even so important as this. Therefore, the conclusion to which the Government have come is that the question is too important to be trusted to the chance of a Saturday Sitting, in which they would probably not carry the measure further for ultimate practical and effective purposes; and, therefore, the subject is one which can only be efficiently and satisfactorily dealt with by the Government themselves. Next year, therefore, it will be my business and my duty to lay before the House proposals for settling this question.

COLONEL NOLAN (Galway, N.): When? Next year?

MR. J. MORLEY: Surely my hon. and gallant Friend must perceive that I have gone a good way in stating the intention of legislating next year, and that I can be hardly asked to state the precise month or week in which the proposal can be laid before Parliament. I think it would be unreasonable now to expect me to state it. I am sure my hon. and gallant Friend and the other gentlemen from Ireland will understand that. I began by saying, as I shall end by saying, that no one is more aware than I am of the importance of the question, and of the responsibility attaching to a Government which leaves that question open a day longer than is absolutely necessary.

MR. J. STUART (Shoreditch, Hoxton) said, he had risen at an earlier period to put a question to some Member of the Government, and had hoped that he might have the opportunity of doing it before the Chancellor of the Exchequer spoke. The few remarks the right hon. Gentleman had made in his first speech had, to a certain extent, answered the question he (Mr. Stuart)

had desired to put; but he was bound to say those remarks had filled him with astonishment and dismay. After the observations of the Chief Secretary for Ireland, however, in reply to an Irish Member, he felt emboldened to ask for a pledge on an English subject in which many of the supporters of the Government were deeply interested. Surely the Prime Minister and the Chancellor of the Exchequer were aware of the pledges which had been made to London to the effect that some measure of relief would be brought in for it. No assistance had been given to the Metropolis in spite of the repeated promises made to its Representatives. There was a measure before them as uncontentious as any of those to be brought forward by the Government in the present Session—a measure passed without a dissentient voice, without a Division, at an earlier period of the Session. What steps did the Government intend to take with regard to this Bill—the Bill for the Equalisation of Rates in London? What did they intend to do with this Bill, or some other measure for the relief of the London ratepayer—to whom the Government were not only so deeply pledged, but so deeply indebted? He did not wish to occupy the time of the House unduly. The question was a very simple one. Many Private Bills dealing with London had been passed, but all that had done had been due to the exertions of London Members themselves. They had gained what they had gained because of the reasonableness of their demands. The measure for which they were now asking had received the sanction of the House in a Resolution which had been passed. The principle was not contested, and, under the circumstances, he urged on the Government, or some Member of it, to give an elucidation of what their action was to be. It had been intimated that in the Sittings that were to take place after the short Recess this, that, and the other measure were to be proceeded with. Well, he wanted to know what the Government intended to do as to the particular measure to which he had referred? He was a faithful supporter of the Government, but in this matter, speaking for hon. Members who sat around him—although he had had no opportunity of consulting them—and also speaking for the 3,500,000 ratepayers of London who were

groaning under excessive rates, he urged the Government to bring in a Bill to rectify the grievance of these people. They had voted for the Government in the expectation that they would grant what he (Mr. Stuart) was now asking for. He could not doubt that some satisfactory assurance would be given from the Front Ministerial Bench on this matter. He and his friends were bound to stand true to their constituents, and it was because of that that he raised the question at this moment.

MR. HANBURY (Preston) said, he could not help noticing the very different treatment meted out by the Government to the London Members and the Representatives from Ireland. When Irish Members got up hon. and right hon. Gentlemen on the Treasury Bench craned forward and put their hands to their ears to take in every syllable that fell from their masters. But when an important London Member like the hon. Member who had just sat down, and who certainly represented a great number of London Members, spoke, not a single Member on the Treasury Bench listened to a word that he said. ["Oh!"] Yes; he had watched them all. The Chancellor of the Exchequer had been talking the whole of the time to the Prime Minister.

SIR W. HARCOURT: There is no foundation whatever for that assertion.

MR. HANBURY: Except the evidence of his own eyes, and the eyes of everybody sitting there. That was quite good enough evidence for them. It was a remarkable thing that the Government to the last did not know their own minds. Even on this, the last important night of the Session previous to the Autumn Sitting, they continued their old line of action—changing their Resolution at the last moment. It had assumed an entirely different shape to that in which it was originally proposed, causing considerable confusion to the House. Even now the Chancellor of the Exchequer, speaking on behalf of the Government, was unable to tell them the Bills it was proposed to bring forward before the Autumn holidays. The right hon. Gentleman said there were, perhaps, two or three non-controversial Bills they would bring forward, but he would not name those Bills, the selection not having been made. The right hon. Gentleman

could not give a definite promise as to what Bills would not be brought forward.

Sir W. HARCOURT here rose.

MR. HANBURY said, he must refuse to give way to the right hon. Gentleman after the flat contradiction he had given him just now. He intended to pin the right hon. Gentleman to his own distinct declaration. The right hon. Gentleman would not run away from his own words. He had said that no controversial Bill would be introduced between now and the Autumn Sitzings, and the only interpretation to be put upon that was that the Government would not bring forward Bills which the Opposition had any objection to.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): I must protest against the irascible tone adopted by the hon. Member who has just sat down. The matter is one on which both the Opposition and the Government have rights and opinions, and there has been a desire shown on both sides to arrive at a settlement. Up to the time when the hon. Gentleman rose the proposal of the Government seemed to be regarded as satisfactory to the House. The hon. Member said that no Member of the Government listened to the remarks of my hon. Friend the Member for Shoreditch (Mr. Stuart). I give that statement the most emphatic denial. As I had to reply it was my duty to listen to him, and I heard every word he said. The hon. Member finds fault with the alteration which has been made in the Resolution. Perhaps he would like the Government to go back to the original Resolution. The Resolution has been modified, having regard to the feeling which prevailed on that side of the House, and I do not think it is fair to taunt the Government for having adopted a modification in order to meet the views of those from whom they differ. The hon. Member asks us what we mean by "non-controversial." Surely the hon. Member is aware that that was the invariable term the late Mr. Smith used at this time of the year, and that he always declined to be drawn into a definition of what were and what were not non-controversial measures. We use the term in good faith. The main part of my right hon. Friend's statement remains

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unchallenged, and my right hon. Friend particularly mentioned that in a day or two he would mention the Bills which would come within his description of "non-controversial." As to the remarks of my hon. Friend the Member for Shoreditch, I agree with all he says respecting the importance of the equalisation of the rates of the Metropolis; and if the Bill on that subject could be placed in the category of non-controversial measures, there would be no difficulty in passing it during the present Session. The Prime Minister stated the principle on which the Government has proceeded. They think that the time of the House will be quite exhausted by the two Bills they have mentioned; and, therefore, they could not add any others to the list. I would, however, remind my hon. Friend of one consideration. We are now in September. The framework of the Equalisation of Rates Bill contemplated its coming into operation in September. That, of course, is impossible. It is a question whether the Bill might be altered so that the measure might come into operation next March. On that point I will express no opinion; but I do not think the position of the Bill will be in any way prejudiced by the action the Government have taken. Not only is the Government pledged to the principle of the Bill, but the House is unanimously pledged to it also. There may be differences of opinion as to the way in which that principle should be applied, but I do not think that when the proper time arrives much difficulty will be found. There are many Members opposite who are anxious to see the Bill passed into law; and if any arrangement were made so that the Bill might be treated as non-controversial, the Government would be pleased to see it pass during the present Sittings. If, on the other hand, it is treated as controversial, we must reserve it for the future, at the same time renewing the pledge that we shall carry it at the earliest opportunity.

MR. HOWELL (Bethnal Green, N.E.) said, he was by no means satisfied with the right hon. Gentleman's reply. Assurances had been given again and again that the Equalisation of Rates Bill would be carried during the present Session. Although the matter might not be

absolutely non-contentious, it had reached its present stage with the assent of all Parties; and as the Bill consisted of only one clause, there could not be a very long Debate upon it. It seemed to him that those who differed respecting its provisions might very well settle their differences after an hour or two's Debate. He asked that an opportunity should be given for such a Debate. The private Member was now being snuffed out altogether, and the arrangements made with private Members respecting Bills in which they took an interest were not attempted to be carried out. Unless an attempt were made to pass this London Bill the Government would discover their mistake when the General Election took place. Many of the London Members had been in the House night after night supporting the Government, when other Members had been dining. The House now saw the result. He asked the Irish Members, and Members generally, to remember that the whole Session had been given up to the Home Rule Bill. The London Members now asked that a constituency almost as large as the whole of Ireland should receive some little attention on the part of the Government. The London Liberal Members had very little to thank the Government for, and when they were fighting the late Government they very seldom received much support from gentlemen occupying seats on the Front Bench. Unless London was going to throw overboard its claims, and to send Members to the House of Commons to be the absolute slaves of the Government in power, it was necessary for the London Members to make some stand. Though there might be some differences of opinion with regard to the details of the Bill, he felt persuaded that hon. Gentlemen opposite would recognise that, looking to the probable poverty of the coming winter, and to the thousands of men who were out of work, some consideration should be shown to the poorer residents of the Metropolis, and the least that could be done would be to lessen the rates in some of the overburdened parishes. He did not think the Government were treating the London Members fairly in throwing this Bill over, and he should feel himself at liberty to take his own course with regard to all their other measures unless they passed this Bill.

\*MR. DARLING (Deptford) said, it must be a great consolation to the Government to know that the threat which had just been made came after they had passed through the House the only Bill they wished to pass. Unfortunately, the independence of the hon. Member and his friends had come a little late. The Government had known it would come, and they had therefore arranged for the Monday after the Home Rule Bill had been sent up to the Lords to give the London Members their opportunity. The Government had been told by some of their supporters that if they did not pass the Equalisation of Rates Bill this Session, they would discover their mistake at the next Election. That clearly meant that the people of London cared a great deal more about equalisation of rates than they did about Home Rule. The Government knew perfectly well that no one could describe the measure as non-controversial. It was to the interest of some parishes in London to get the Bill passed, and to the interest of others to get it altered. Personally, he was most anxious to see it passed very much as it stood. He had received Petitions from various parts of London, which showed him that there were a great many other people who would like to see it altered. However, the Bill was not only more controversial than the Parish Councils Bill, but was rather smaller, and his complaint was that it had not been put in the place of the Parish Councils Bill. He did not know how the Parish Councils Bill, if it were to pass to-morrow, would do anything like the good the Equalisation of Rates Bill would do. It was more important, if the Government could be got to believe it, to equalise the rates of London than to pass what they themselves called the Parish Councils Bill. If the Government had really been in earnest in their desire to do anything whatever for London they would have chosen the front place in the programme of the Autumn Session for the Equalisation of Rates Bill, and would have taken for it the place allotted to the Parish Councils Bill. This, he believed, would have satisfied every single London Member. But what was the consolation they got? They were told that the Government were pledged to introduce this Bill next year. How did they know where

the Government would be next year? Again, they were told that they should not be prejudiced, and that the Government would turn the measure about so as to come into operation next March instead of in September. Yes, but in his constituency they would pay, for six months more, unequal rates. But this was not all. The Government had given a pledge to go on with a much more controversial measure than this Bill could possibly be, and which would take more time. They were pledged to go on with the Disestablishment and Disendowment of the Church in Wales; they were pledged to do something for the people who did not pay their rents, and, of course, they would neglect those who did pay their rates. He recognised that the people from whom the Government derived the most support had a far greater claim on their sympathies. With a Bill for the Disestablishment and Disendowment of the Church in Wales, and with a Bill to satisfy the ever insatiable tenants in Ireland, what earthly hope was there that any Bill whatever for the good of the overburdened ratepayers of London would receive any attention from the Government in the next Session? He contended that the Government ought to have given proof of their righteous intention towards the ratepayers of London by selecting their Bill for precedence instead of the Parish Councils Bill.

\*MR. CARVELL WILLIAMS (Notts, Mansfield) said, the Chancellor of the Exchequer had told them plainly that the Autumn Session was to be limited to two particular measures, and that the Government would not allow any portion of the time of the House to be allotted to other measures than their own. He could not help thinking the Government had been utterly wanting in feelings of compassion for private Members of this House. They had all been called upon to make sacrifices during this Session. He believed the private Member had been the most self-sacrificing. He had never been so active as during this Session in the production of legislative measures, and never had he been so unfortunate in the progress—or rather no-progress—that had been made. What he wished to do was to call the attention of the Government to the fact that there were two or three measures of private Members that had advanced so far, that a



very little time would suffice to place them on the Statute Book. He would name two. The first of these was the Places of Worship (Sites) Bill. After seven years' continuous effort, that Bill had passed through both Houses of Parliament, and at this moment the only point left undetermined was whether this House should, or should not, disagree with a particular Amendment introduced into the Bill by the House of Lords. He submitted it would be a great pity and a disappointment to a large section of the community if some fragments of time were not found for the completion of that measure. The other measure was the Places of Worship Enfranchisement Bill, which had been read a second time, and which had passed the Grand Committee. Under existing arrangements no progress could be made with those measures. He asked the Government not to close the door of hope against private Members, but at least to leave it open to consideration whether it might not be possible during the Autumn Session to find that little time for the completion of these two measures; which would afford some consolation to those who had been disappointed in finding opportunity for submitting other measures to the House.

COMMANDER BETHELL (York, E.R., Holderness) said, the Motion the Prime Minister had made upon this occasion differed from the Motions of a more or less similar character which had been made in past Sessions, because usually they were made at the fag-end of Supply, when it was not unfair to suspend the ordinary Rules of the House. But this year they were dealing with the substance of Supply. They had got, practically, all the Civil Service Supply to do, and it would have been much fairer if the Prime Minister had consented to alter his Motion so as not to take away the power of moving the Adjournment of the House or Committee after 12 o'clock. He agreed with the Chancellor of the Exchequer that it was necessary the Government should have more power over the proceedings of the House; but that ought to be given by regular Rules, and he hoped the House would set its face against the abominable encroachment of the Government on the time of the House by endowing themselves with exceptional powers to use in the way that seemed best to them

at the moment. Let these powers, as they must be given, be given under the regular Standing Orders. With regard to the Parish Councils Bill which he understood that the Government had decided to introduce, he fancied that Bill was a much bigger business than a good many gentlemen seemed to think. Personally, he wanted to see a Bill of this character passed; but the Bill of the Government, if it was to be satisfactory, would have in some respects to be largely amplified, and in other respects to be largely contracted. He regretted very much they should not be able to undertake the Parish Councils Bill when the House was fresh, and when there was plenty of time for its consideration. He was afraid that in the Autumn Session they should be obliged to have their Debates very much limited, or else this important Bill would be thrown aside or not properly discussed. Considering this reform, so far as they knew, was to last, humanly speaking, for all time, it was a thousand pities that a reform so admirable in principle would have to be hurried through or else not passed. He wished the President of the Local Government Board could persuade the Government to postpone that Bill until they were quite certain they had plenty of time to give it the consideration its importance demanded.

\*SIR J. GOLDSMID (St. Pancras, S.) said, with regard to the Bill to which the hon. Member for Shoreditch had referred, there could be no question that on the principle of it there was no difference of opinion amongst London Members. They were all agreed, he believed, that the rates should be equalised. He was not quite sure that they all thought it could not be done in a more satisfactory manner than that proposed in the Government Bill. He did not believe that the question need be considered from the point of view of the threats of hon. Members. His hon. Friend had told them that if this Bill were not passed, he would no longer give an independent support to the Government on any Bill. It struck him that these threats of independence of hon. Members, when too late to vindicate their principles, were rather absurd than anything else. The principle laid down by the Government in their Resolution was eminently unsatisfactory, because it curtailed the right of all

Members of the House without altering the Rules of the House. He remembered the time when they used to sit to 3 or 4 o'clock in the morning, and there was constant complaint made with regard to the burden thrown on Members of the House, and it was by unanimous consent that the principle of 12 o'clock was adopted in order to limit that burden. But now day after day the Prime Minister or some other Member rose to propose the abrogation of the Twelve o'Clock Rule. He thought this was a great hardship to be inflicted upon them. If the principle was right it ought to be observed, and if it was not right it ought to be altered; but to infringe it day after day, without permanently affecting the Rules of the House, was a great mistake. Moreover, they were now going to apply the principle which used to have regard solely to Supply also to other measures. He knew they had had Saturday Sittings over and over again late in the Session for Supply; but he did not remember ever taking an Autumn Session with Saturday Sittings in order to pass a Bill. It seemed to him that was an entirely new principle, and ought not to be accepted without considerable discussion. He thought it was a great hardship to Members who had other duties to perform in London and the country to be tied so many months continuously to the House of Commons without having that opportunity of doing their duty to their constituents elsewhere which, he was quite sure, most Members of the House desired to have. The principle of making the House sit for ten months in the course of the year was an entirely new one, and very unsatisfactory to the great majority of Members. It was certain that business was not conducted best by working the whole time at high pressure. It used to be said that all complaints in that House could be ventilated before Supply was granted. Now, however, they were going to be told that the Government had set out the time not only for Bills, but also for Supply. It reminded him of a schoolmaster who set a task to children, which had to be performed in a certain number of hours. The Government were now going to be taskmasters and the House their pupils, who, in a given time, would have to accomplish a given task. That was a new principle, which infringed largely on the ancient privileges of

*Sir J. Goldsmid*

Members, which altered the whole system of Parliamentary government, and which certainly did not improve it. They had been told that this was the Mother of Parliaments. In his opinion the Mother of Parliaments had, of late, been setting a bad example to other Parliaments. The principle of bullying which had been applied to the Mother of Parliaments was not a good one, and it had induced one gentleman, at any rate, to threaten to be independent, a thing which appeared to be so novel that he felt it his duty to call attention to it. If a few more hon. Members would show their independence he was inclined to think business would be much better conducted.

MR. GOSCHEN (St. George's, Hanover Square): I do not propose to continue the discussion with regard to the principle of the Resolution, but rather to endeavour to state what we conceive to be—having now arrived at this point—the general arrangement for carrying out the pledges of the Government, because I am sure right hon. Gentlemen, as well as anyone, will be anxious there should be no misunderstanding with regard to any point raised. In the first instance, we understand that no controversial business is to be taken during this Session—before the Autumn Holidays; and I understand the Chancellor of the Exchequer, or else the President of the Local Government Board, to say that Mr. Smith had generally refused to define the word “controversial,” but that it was left, on the whole, to the good faith of the Government to interpret. I wish to be perfectly clear on this point—that Bills are not only controversial if they are objected to on this side of the House as against Members on that side of the House; but Bills would be regarded as controversial at this time of the Session which are full of detail, and would require a considerable amount of discussion. I should like to know whether right hon. Gentlemen opposite accept that proposition? For instance, I see a Bill down here in which I take myself considerable interest—the Building Societies Bill. That would not be controversial from the point of view of Conservatives or Liberals either supporting it or objecting to it; but still it is full of a great deal of important matter upon which controversy may arise between Members of the

same Party. The point is that Bills of great importance—to which a particular class attach particular importance, and as to which there may be differences of opinion even in the same Party—would be considered controversial, even though not matters of Party. That I understood to be admitted in the sense that no Bills would be urged this Session which would be likely to take any considerable amount of time. I understand we are all agreed upon that. The next point on which I would like to say a word is the question of dilatory Motions. There I think that the Government have taken into their hands a very great power, and one which ought to be most sparingly exercised, and only upon an emergency. Then I wish the Government would give us to understand that we should not be made to feel the absence of this weapon in our discussions on Supply. Frequently, in past times, when this legitimate weapon was in the hands of the majority, when the Minister in charge was not in his place, or if there was any matter to be complained of on the part of the minority, they moved to report Progress, in order to give the Minister an opportunity of attending in his place if absent, or of giving reasonable answers if they were present. When we are parting with this power, I trust we may rely on the Government to consider we have parted with a considerable weapon, and that they will use in their discussion of Supply that spirit of moderation and temper which would be the only excuse for not leaving us this power. The minority is more or less at the mercy of the Government as to its treatment when it parts with this power, and I have simply indicated it in order to establish a claim upon the consideration of the Government during the Debates on Supply. Thirdly, I wish once more to emphasise the question of Saturday Sittings, and to express the hope that the Government may see their way to meet the Opposition so far as not to extend the Saturday Sittings beyond the Sittings before the Autumn. If the power of taking Saturday Sittings is to be rarely exercised, would it not be better for the Government to withdraw that part of their Resolution subject to the power which the Government always have of making the Motion if they find it neces-

sary when the Autumn Sittings begin? Precedents, as the right hon. Member for West Birmingham (Mr. J. Chamberlain) has said, are always dangerous, and the Government are setting up a new precedent—they are taking Saturdays not only for Supply at the end of one part of a Session, but for the passing of Bills in another part, and without any limit whatever. I appeal to the Government not to extend this precedent to taking Saturdays, which might be really unnecessary, and which would be a precedent which might react in future. I do not think it will give such additional power to the Government as to make it worth while to set a precedent so dangerous and inconvenient. I hope the right hon. Gentleman will see I have urged this in the most conciliatory manner, and not in the slightest degree from any point of Party advantage one way or the other. It is to the interests of the House generally that this part of the plan should be abandoned. It would not promote the passage of Bills. I really hope that, having gone so far as they have, the Government may see fit to make this further concession which the Opposition and so many of their own supporters desire.

MR. BUCHANAN (Aberdeenshire, E.) thought it was somewhat artful on the part of the late Chancellor of the Exchequer, in the speech he had just delivered, to omit all reference to the subject of the London Bill, although he was a London Member. He thought London Members on that side of the House would recognise that in the complaints they had received no sympathy from London Members sitting on the Opposition side of the House? The hon. and learned Member for Deptford had expressed great affection for the Equalisation of Rates Bill; but when a definite offer was made by the President of the Local Government Board to treat it as a non-contentious measure, and it was not accepted by hon. Members opposite, if the measure was not passed before the Adjournment on their shoulders must rest the blame. He thought that most Members would recognise that the two Bills chosen for consideration in the Autumn were of the widest and most general interest, while they were also of a non-Party character. Scotch Members recognised the fact

that the Employers' Liability Bill was looked upon with great interest in Scotland; but they had no immediate interest in the Parish Councils Bill. He hoped, however, that they might get an assurance from the Government that the passing of the English Bill would be only a prelude to the passing of a Scotch Bill in a subsequent Session. The Scotch Members were prepared to admit there were no large measures of a contentious character or of first importance affecting Scotland that they could expect the Government to press forward this Session, but amongst the minor Bills on the Paper that evening there were two affecting Scotland which everyone would admit to be of a non-contentious character—namely, the Fatal Accidents Inquiry Bill, and the Sea Fisheries Bill. Neither of these Bills was a Party measure. The Accidents Bill was non-contentious, and no special Division had been taken upon it, so that it might be taken as outside Party lines.

THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): Hear, hear!

MR. BUCHANAN said, with regard to the Sea Fisheries Bill, it embodied the recommendations of the Commission that dealt with the subject, and was supported by hon. Members who represented fishing constituencies, to whatever quarter of the House they belonged. He hoped it, therefore, would meet with approval, and pass the House as a non-contentious measure. If they had a promise from the Secretary for Scotland that he would meet those Members, half-an-hour or an hour would suffice to discuss and settle the Amendments on the Paper relating to the Bill, and it could be passed with very little discussion. He most earnestly hoped the Government would view this Bill with particular favour, because it would be productive of much good to an industry with which this House had great sympathy.

MAJOR RASCH (Essex, S.E.) said, he had no intention of finding fault with the Government for producing general legislation, but he would like to call attention to the extraordinary flexibility of adaptation and change of front exhibited by the Prime Minister in proposing the abolition during the present Session of the Twelve o'Clock Rule.

*Mr. Buchanan*

Hon. Members were aware that great agricultural depression existed in England. Well, there had been during the last nine months two agricultural Debates, which he thought had occupied about three hours, and he, as an humble agricultural item, had asked the Prime Minister whether he would suspend the Twelve o'Clock Rule during the course of those Debates? The right hon. Gentleman gave him to understand that the suspension of the Rule with regard to agricultural distress was absolutely outside the horizon of practical politics. And now the right hon. Gentleman came down, and with a light heart proposed to abolish the Twelve o'Clock Rule in order that the Committee might discuss matters about which no one connected with the land—the farmer, the labourer, and the landlord—cared a brass farthing! He should like to have from the right hon. Member for the Forest of Dean (Sir C. Dilke) some indication of the newspaper in which the offer of compromise to which he had referred was contained. He should like to know whether it was *The Sun*, *The Star*, or *The Police Gazette*? If the right hon. Baronet would tell them that, the information would be received with satisfaction by the House.

MR. T. W. RUSSELL (Tyrone, S.) said, he was about to propose an Amendment, but he did not understand that it would preclude the discussion of the general question if the Amendment were put and debated upon.

MR. JESSE COLLINGS (Birmingham, Bordesley), on a point of Order, asked whether they could return to the general question if the Amendment were moved?

\*MR. DEPUTY SPEAKER: I will decide that when I hear the Amendment.

MR. T. W. RUSSELL said, he proposed by his Amendment to add after "Saturday Sitting" the words "before the Adjournment for the Autumn holiday," and submitted that the moving of the Amendment would not preclude the discussion of the general question if anyone desired to discuss it.

\*MR. DEPUTY SPEAKER: That is so.

MR. T. W. RUSSELL said, everybody in the House disliked Saturday Sittings. The feeling was not confined



to one Party, but was spread over all. When Members came down to the House and worked on Saturdays scores of other people—officials and others—were compelled to work here also, and Members themselves, after five days of work, were in no humour for working on Saturdays as a general rule. He admitted that at the close of a Session such Sittings were usual; but they were held for specific purposes, such as to wind up Supply, or to pass a stage of the Appropriation Bill, or even to pass some special non-controversial Bill. The Resolution of the Government, however, was to take Saturday Sittings not for any of these special purposes, but for general purposes, and for any Bills the Government might propose to take during the Autumn Session. That was an unprecedented course. As had been pointed out, there were only 37 days available for the two Bills. These Bills had to be passed in another place. Was there to be no discussion in the House of Lords, or did the Government think that Assembly was going to record their demands in the same way as the majority in this House were prepared to do? The House would find that these Bills would take a certain time to discuss, and that Ministers, with the power of holding Saturday Sittings, would use it, with the result that hon. Members would be brought down here every Saturday. The Amendment which he now begged to move would limit these Sittings to the month of September, during which the Government proposed to deal with Supply. He hoped the Amendment would be accepted.

\*MR. DEPUTY SPEAKER: Is the Amendment seconded?

\*MR. GIBSON BOWLES (Lynn Regis) said, he would second the Amendment. He would second anything that was calculated to diminish or curb the tyranny of the Government Bench. He came down to the House to-day with fear and trembling, because he thought the proposal of the Prime Minister might curtail the undoubted right of the House to discuss Supply; but he was relieved to find that the Government had for once realised their duty to the House, and had afforded considerable opportunity for discussing Supply. Up to this time there had been 25 Sittings in Committee of Supply, and 64 Votes had been obtained;

at the same rate of despatch the remaining 121 Votes would require 47 days—that was equal to eight weeks, including Saturdays, which would take them to the 30th of October. If the House met on the 2nd of November, that would leave the holiday to consist of three days—Saturday, Sunday, and Monday. It would be better to begin a new Session. Three days would not be enough. He did not think an Autumn Session was required at all. Ministerial Members were all at variance as to the Bills to be taken, and would have to give up their own Bills in favour of the Government Bills, which were highly contentious. The Parish Councils Bill—which they were told was for the purpose of extending local government in the villages—would not have that effect. On the contrary, it would diminish the power of parishes with a population of less than 300, while the Employers' Liability Bill was one of the most monstrous inventions that ever proceeded from Radical brain.

\*MR. DEPUTY SPEAKER: The hon. Member cannot discuss those Bills now. He must confine himself to the Question before the House.

\*MR. GIBSON BOWLES said, he did not know that hon. Members quite realised that the Government proposed to take Saturday Sittings, which implied that the Government asked for every minute of the week from Thursday at 3 o'clock to the succeeding Wednesday at 5.30 p.m. Why should they ask that they could take Saturday Sittings without debate upon such a proposal? Why should Ministers ask for the extension of privileges that were great enough already? To his mind, it was suspicious when Ministers and ex-Ministers exchanged compliments across the Table; it meant that the liberties of other Members were to be suppressed. He did not look with satisfaction upon what had been said from the Front Opposition Bench, and he hoped the independent spirit of many Members would assert itself in the Division. Who were the Government? They were only 36 placemen drawing £78,391 10s. a year—that was all that differentiated them from other Members. There was no difference, except that the Government filled the places and took the salaries. They were told this Resolution would

be the Resolution of the House. By the House, he supposed, was meant the majority of a quorum of the House, consisting of 40—36 placemen and 4 unprejudiced Members. This 40 did not represent the House. They should adopt the American theory—

\*MR. DEPUTY SPEAKER: I think the hon. Gentleman is wandering from the point.

\*MR. GIBSON BOWLES said, they were told on the Home Rule Bill that Saturday Sittings were not necessary. If that were so, how were they necessary now? It was said they were necessary to get through Supply. But if the Government would abandon an Autumn Session, eight weeks, without Saturdays, would be sufficient for the discussion of Supply, which was of more importance than any Bills. There was no discussion of Supply last year. There had been none this year—it could not be said they had had any—the Government bringing forward nothing but the Home Rule Bill, and, therefore, they were entitled to say that they ought to have Supply discussed. It was surely of more importance than any Bill that they should look after the taxation of the country, or that they should be concerned as to the treatment of the miserable remnant of a Newcastle Programme. There was no demand for these measures—for which the Government had sacrificed, not eight or nine months, but the whole 12 months of the year. Ministers had done enough. They had kept their places this year. They might thank Providence for that. He thought they were now entitled to give time for the discussion of the Estimates, and then let them return to their constituents and take a verdict on the policy of the Government. He begged to second the Amendment.

Amendment proposed, after the words "Saturday Sitting," to insert the words "before the Adjournment for the Autumn holidays."—(*Mr. T. W. Russell.*)

Question proposed, "That those words be there inserted."

THE SECRETARY OF STATE FOR WAR (*Mr. CAMPBELL-BANNERMAN*, Stirling, &c.) said, the Amendment of the hon. Member for South Tyrone (*Mr. T. W. Russell*) was moved in a serious

*Mr. Gibson Bowles*

speech, but the arguments used were more against it than in favour of it. The hon. Member pointed out the limited number of days before the Autumn Session, and also the complicated and contentious nature of the Bills; and he argued that it was undesirable and unnecessary to use Saturdays.

*Mr. T. W. RUSSELL* said, his Amendment did not preclude Saturday Sittings; they could be had in the usual way if they were wanted.

*Mr. CAMPBELL-BANNERMAN* said, they quite understood that; but that was where the fallacy lay. The usual way involved obtaining the assent of the House, and, as experience showed, the spending of a Friday to secure a Saturday; and the object of the Resolution was to obviate this loss of time by which they would be deprived of the beneficial use of the Saturday. The Resolution did away with that. It did not take the Saturdays; all it did was to enable the Government to propose that there should be a Sitting on any Saturday without incurring loss of time in a Debate. So that the House would still have it in its power to express its opinion; but the Government would obviate the risk of losing a whole Sitting by the making of a Motion. They were not prepared to act in that way now—they did not wish to oppress anybody. They thought it was not an unreasonable privilege for them to seek. The Autumn Sittings were arranged for a definite purpose, and not for the pleasure of either the Government or other Members of the House—for the purpose of passing certain Bills into law, so far as this House was concerned at all events, which was all they could control; and for this purpose it was desirable that they should have this very minute power. It did not interfere with anybody. The only effect it would have was to avert what might be a most dangerous and a most useless waste of time, when there was legislation to be carried which had been accepted generally by both sides of the House this afternoon.

*Mr. A. J. BALFOUR*: I think it would be convenient to dispose of, as soon as possible, the Amendment moved by my hon. Friend the Member for South Tyrone, so that anybody who desires may again take up the general discussion raised by the Resolution. As the House will gather from the speech

which I made before, I look with favour on the Amendment of my hon. Friend. The Prime Minister, in dealing with this question early in the day, told us that though the power of taking Saturday Sittings was given to the Government, the Government would use it with great reserve, if they used it at all, and we all looked upon that declaration with great satisfaction. If difficulties were to arise in dealing with Public Business, beyond question the Government would be entitled to take exceptional means for dealing with those difficulties; but it is not according to precedent for the Government to possess themselves of powers for dealing with difficulties that do not now arise, and which may never arise. What we ask of them, therefore, is to reserve action until the necessity does arise. It is true that, if they are not now given these powers, either of two courses are open to them. They can either move for a Saturday Sitting on the Friday previous, or they can move at the opening of the Autumn Session a general Resolution taking the Saturdays of the Session. We ask them to wait before taking action until we are in the Autumn Session, and not now set a precedent which may be a great danger in the future, for the purpose merely of averting difficulties which, for all we know, may not arise at all. It must be borne in mind that there is, under our modern system, no chance of wasting time on a Motion to take a Saturday Sitting.

**MR. CAMPBELL-BANNERMAN :** There is modern instance for an entire Friday having been wasted.

**MR. A. J. BALFOUR :** There must have been exceptional circumstances in that instance. Of this I am sure—that any attempt to unduly prolong the Debate on a Motion for a Saturday Sitting proposed by the responsible Government of the day, under circumstances which justified it, would certainly, after reasonable discussion, be closed by the action of the Speaker. I, therefore, ask the Government to wait until the Autumn Session comes, and when the necessity which the desire to provide against is obvious, imminent, and inevitable. The harmony which has reigned over our proceedings to-day has been very creditable to us all, especially to those of us who oppose the policy of the

Government; and I think that harmony would be still further maintained if the Government grant the request of my hon. Friend opposite.

**SIR W. HARCOURT :** I would willingly, if I could, settle this matter without a Division. It is not a matter of the most consummate importance, and it is one, I think, which we ought to settle without further Debate. I will state briefly why the Government must ask the House to take a Division on this matter. I have a very acute recollection of an attempt we made to get a Saturday Sitting, occupying us the whole of Friday. Then there is another matter. If we were to postpone this proposal till the beginning of the Autumn Session, we would have just such a similar discussion as we have had to-day, and we would bring back for the opening day of the Session Members who may wish to extend their holidays. I hope the House will now pronounce an opinion on the matter, and then go on with the Resolution.

Question put.

The House divided :—Ayes 122 ;  
Noes 168.—(Division List, No. 286.)

**MR. J. ROWLANDS (Finsbury, E.)** said, he had heard the figures of the Division with great pleasure, because he had voted to give the Government the opportunity of taking the time they asked for; and he was now going to ask them to devote some of that time to the cause of London. He was one of those who thought the House should sit as long as it was necessary to get through the business of the country. He believed that they were there to pass measures which they considered useful and for the welfare of the community; and it was because he held that opinion strongly that he now urged on the Government to deal with that which London wanted. Since the President of the Local Government Board had spoken early in the evening, they had had speeches from Members representing every section in the House, and there was not one of them that had not said that the principle of the Equalisation of Rates Bill was good. The Bill was not a controversial Bill according to the definition of the right hon. Gentleman the Member for St. George's, Hanover Square. The right hon. Gentleman had

said that a Bill might not be controversial in principle, and yet might be laden with details which might give rise to a large amount of controversy. But the Equalisation of Rates Bill, which had been supported from all sides of the House, was not a large Bill teeming with details. The main thing in it was its principle, which had been adopted by the House, and then came one clause which contained all the details of the Bill. No one would say that the claims of London were too greatly attended to in the House. It could not be said that the 4,500,000 of London had taken up much of the time of the House; and he, therefore, appealed to the Government to grant to the London Members that small modicum of time they asked for the consideration of the Bill in which they were interested. He spoke with some amount of freedom upon this question, because he did not represent a constituency that would receive a very large amount of relief from the Bill. He supported the Bill because he believed it was necessary to give an amount of relief to the poor struggling districts of London, and he thought the Bill ought to be taken up before the House adjourned for the holidays, let alone before the Autumn Session terminated.

\*MR. BARTLEY (Islington, N.) said, it was really quite refreshing to hear some of the speeches to which the House had been treated that afternoon. He thought the Debate would stand out in the annals of the Session as showing that there was at last some sort of awakening amongst the hitherto inarticulate supporters of the Government, who felt that, after all, they had been neglecting their duties. The hon. Member who had last spoken, and others, had talked about poor suffering London. They had told the Government in bold and big tones that they would not stand the neglect of London any longer. The hon. Member for Leeds, in a speech at a dinner about March, 1892, had said the Liberals were going to have two Sessions of Home Rule. The first was to be Home Rule for Ireland, and the other was to be Home Rule for London. The London Members ventured to think that London was as important as Ireland; it was as populous as Ireland, and yet it had been utterly neglected. It was a remarkable

thing that the Prime Minister did not tell the London Members of his intentions before Friday. The right hon. Gentleman did not dare to let the cat out of the bag till he had got the Third Reading of the Home Rule Bill, lest he should lose the support of those Members who now protested with such a show of independence on behalf of the suffering poor of London. The hon. Member for Shore-ditch had said the people of London had voted for the Government, expecting what they would get. The people of London now knew what they had to expect from the Government. The Unionist Members for London had told the people in 1892 that these measures were only put forward till the Home Rule Bill was read a third time, and that they would then be dropped. When he asked, last week, whether the Government intended to go on with the Local Veto Bill, the Chancellor of the Exchequer, with one of those outbursts of satire for which he was so famous, said it would depend altogether on him (Mr. Bartley). Had he (Mr. Bartley) anything to do with the plan the Government had now set before the House? Why did not the Government put down the Local Veto Bill for the Autumn Session? Because they dare not do it. They knew that half of the Front Bench men would vote against it, and, therefore, that measure, which had been put forward to catch the votes of the teetotalers for Home Rule, would never be heard of again. In fact, a large number of measures had been mentioned in the Queen's Speech simply and solely to throw dust in the eyes of the people, and catch votes for the Home Rule Bill. The Chancellor of the Exchequer took the rôle of Leader of the House now that the Prime Minister had left them, and he thought it was a very strong order for the Prime Minister to leave Parliament the moment the Estimates were being discussed. [*Cries of "Order!" and "Question!"*] He knew it was the fashion to say because the right hon. Gentleman was very old and very distinguished that he should not be here; but he took it that it was not a proper thing, and was not in accordance with the constitution of the country that Parliament should be sitting without the Prime Minister being present in that House. If they were sitting too long for the Prime Minister,

*Mr. J. Rowlands*



they were sitting too long for other Members as well. [*Cries of "Oh!" and interruption.*] He failed to catch the inarticulate observation of the right hon. Gentleman.

SIR W. HARCOURT: I said we had been six years without a Prime Minister in this House.

MR. BARTLEY said, they had not been six years without the Leader of the House; and even when the Leader of their side was very ill indeed he attended the House, and he thought they were entitled to remonstrate at Parliament being left without the Leader of the House. ["Question!"] It was the question; it was the question of the administration of the House, and the system by which it was being affected by the Government, which was a matter of serious importance to them. The Chancellor of the Exchequer said it was unreasonable in the Opposition to refer to their changing the Resolution. They did not object to their changing the Resolution, but they objected to the general system by which Government put down double what they intended to ask for in the hope of getting a little more than they expected to get. The Resolution was so revolutionary that he believed some of the supporters of the Government resisted it; but it appeared to him that the main point had been forgotten, and it was this: What was the Government going to do, in addition to the Estimates, before they broke up for the holiday? The Chancellor of the Exchequer said they would take no contentious matter except a few Bills he referred to; but, in spite of his hon. Friend's request, the right hon. Gentleman would not state what those Bills were. The Government ought to state distinctly what Bills they were going to take. He thought he should not be out of Order in referring to the mass of Bills that were on the Paper for this very night; and if this Resolution were passed the Government would be able to take any one of those measures to-night. There were the Sea Fisheries Regulation (Scotland) Bill; Building Societies Bill; Public Authorities Protection Bill; Evidence in Criminal Cases Bill; Fatal Accidents Inquiry (Scotland) Bill; Labour Disputes (Arbitration) Bill; Merchant Shipping Bill; Notice of Accidents Bill; Savings Banks Bill; Supreme

Court of Judicature Bill; Bills of Sale Bill; Sale of Goods (re-committed) Bill; Copyhold (Consolidation) Bill; Trustee (Consolidation) Bill; Madras and Bombay Armies Bill; Statute Law Revision (No. 2) Bill; Pistols Bill; Naval Defence Amendment Bill; Light Railways (Ireland) Bill; Law of Commons Amendment Bill; Expiring Laws Continuance Bill; Conspiracy and Breach of the Peace Bill; London (Equalisation of Rates) Bill; and the Vaccination Bill. This was a string of Bills all down for this evening, many of which would require a considerable amount of discussion; but if they passed the Resolution as it stood, the Government would be able, whether the Opposition liked it or not, to pass any of those measures without giving any opportunity of even considering them. That was an unfair position in which to place Members, and, in order to meet it, he would move to insert after the words "That Government business" the words "of Supply." If those words were put in, this Resolution would only apply to Supply, and Bills would have to be considered under the ordinary Rules. If the Government were in earnest, and meant what they said, they could not object to those words being introduced, because it would apply to Supply, and all non-contentious Bills would go through in the ordinary course. If the Government would accept the Amendment it would not be necessary to trouble the House with any further observations. He thought it was a very odd position to see hon. Members on the other side now clamouring for their political rights. They had been pent up in a sort of political Noah's Ark since the commencement of the Session; they found things were going wrong, and were beginning to be restive. The only thing he could conceive like it was the day when Noah let the animals out of the Ark; it must have been difficult for him to keep the tiger from eating up the lamb, and it seemed to him (Mr. Bartley) that the Government were in danger of having the political Ark capsized by the Members who had been pent up in the Ark so long, and who could hardly be prevented from eating one another at the present time, now that they were to be given a little liberty. He therefore ventured to move, in the fifth line, after "business," to insert "of Supply."

If these words were introduced it would meet all the requirements of the case.

\*MR. DEPUTY SPEAKER: The proper way would be for the hon. Member to move to leave out the word "Government," and insert the word "Financial."

MR. BARTLEY said, that would suit him, and he would, therefore, move it in that form.

\*MR. DEPUTY SPEAKER: Is the Amendment seconded?

ADMIRAL FIELD (Sussex, Eastbourne) said, he rose with great pleasure to second it, and he agreed with every observation that had been made, even with those made by hon. Gentlemen opposite. He was not like the hon. Member for King's Lynn (Mr. Gibson Bowles), who came down to the House with fear and trembling; he came filled with wrath and in full fighting trim. He was glad, however, that the Government had somewhat disarmed him, taken away his wrath, and made him somewhat more amiable than when he entered the House. He did not think half enough had been said in opposition to an Autumn Session on its merits. Why were they called upon to have an Autumn Session at all? He hated it, and no one wanted it—[*Cries of "Order!"*] Very well, the Amendment covered what he wanted to say, and he would not strain the point; none of them wanted Autumn Sittings, and he did not think it was necessary for the Government to bring forward the Resolution at all. Why were they brought to this? Simply by the action of the Government, who had consumed the whole time of the House for other Business, and they were now all jaded and wanted rest.

\*MR. DEPUTY SPEAKER: The Amendment is to leave out the word "Government," in order to insert "Financial," and the Question is that the word "Government" stand part of the Motion. The hon. and gallant Gentleman is wandering both from the Resolution and the Amendment.

MR. J. LOWTHER (Kent, Thanet), on the point of Order, said, his hon. Friend was seconding the Amendment, and he apprehended he was in Order in his remarks until the Amendment had been moved.

\*MR. DEPUTY SPEAKER: The Amendment has been moved and the hon. Member is seconding it.

*Mr. Bartley*

MR. J. LOWTHER: But it has not been put from the Chair.

MR. JESSE COLLINGS (Birmingham, Bordesley) presumed, when the Amendment was disposed of by a Division or otherwise, the discussion on the general question could be carried on?

\*MR. DEPUTY SPEAKER: Certainly; that would be so.

ADMIRAL FIELD said, in speaking of financial business, he presumed he might also speak of other business that might be proposed in lieu of the financial business, and show their reasons for preferring financial business for all other kinds of business. In looking to the other side he was reminded of the old proverb, and found that it was very likely to prove true. He did not quote the proverb offensively; but there was an old proverb that said—"When rogues fall out honest men get their just rights." He objected to any other business but financial business being dealt with; and in support of his contention that only financial business should be disposed of, he would quote a very high authority—namely, a writer in *The Lancet*, who pointed out they were all worn out and unfit for the Parliamentary duties they were called upon to discharge. It was apparent, on seeing Members anywhere, that they had a more than usually jaded and worn-out appearance, and the writer said that the work they had been called upon to do must act injuriously upon legislation in the future unless they were able to recover, not only their political weakness, but their disordered brains. Therefore, he (Admiral Field) ventured to say they ought to confine themselves to financial business. A month's rest was not enough to recoup their wasted energies. If they had not been able to do other business it was not their fault; the gentleman responsible for that sat upon the Treasury Bench. He strongly objected to any other than financial business being dealt with during the remainder of the Sitting before the holidays, on the ground, among others, that as much time as possible should be given to the discussion of the Estimates, the supervision of which was of supreme importance to the country.

Amendment proposed, to leave out the word "Government," and insert the word "Financial."—(*Mr. Bartley.*)

Question proposed, "That the word 'Government' stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): I do not think it is necessary for us to discuss this Amendment at any length, in view of the assurances of the Government, given earlier in the evening and accepted by the Leader of the Opposition and the ex-Chancellor of the Exchequer, that no controversial business would be brought forward before the Autumn. Then I am asked to specify those particular Bills the Government propose to proceed with, though it was agreed on the Front Bench opposite that it was enough to make the statement which is generally made on these occasions, that no controversial measures would be taken by the Government. The Government intend to adhere to that in good faith. My right hon. Friend below the Gangway alluded to a particular measure—that is to say, the Bill with reference to the command of India. That is a non-controversial measure. If hon. Gentlemen opposite choose to regard the Equalisation of Rates Bill as a non-controversial measure we should be glad to take that, but it will depend upon hon. Gentlemen opposite whether it is so regarded. The hon. Member who moved this Amendment said, reading out the list on the Paper—"You may take these Bills at any hour." I can assure him there is no such intention. In a day or two, I hope, we may be able to state to the House what Bills will not be taken, and we shall then discharge those Orders. That is the usual course taken when the Government have asked for special facilities of this kind; and, in the meanwhile, I ask the House to accept what has been accepted by the Leader of the Opposition—namely, the statement of the Government that they will not take any controversial measures before the Autumn Session.

MR. HENFAGE (Great Grimsby): Now that we have a definite pledge from the Chancellor of the Exchequer, in addition to that made before—namely, that the Government will not take any controversial measures; and, secondly, that in the course of a day or two he will state the Bills they will not take, I think the House ought to be satisfied. That

has been our difficulty so far; there are a certain number of Bills down which it is clear the Government will not take; and what we wanted to have was a statement of the Bills the Government would not take. I am interested in the Building Societies Bill, and I cannot imagine that will be taken. I cannot help thinking that if the Chancellor of the Exchequer had made his statement earlier in the evening much time might have been saved.

MR. W. JOHNSTON (Belfast, S.) said, he had been anxiously watching the discussion, and the hon. Baronet the Member for Cocker mouth (Sir W. Lawson) moving uncomfortably about from place to place; and he thought the hon. Baronet must be preparing to go into mourning for the Temperance Party at the attitude taken by the Government in regard to the Direct Veto Bill. Temperance men at the General Election were deluded by promises held out by the Liberal Party as to the immediate action to be taken in favour of temperance if only the Liberals were returned to power. During the hot days of June and July a great demonstration was held in Hyde Park in favour of the Local Veto Bill. The Chancellor of the Exchequer was present, and had the greatest possible difficulty in dodging his dupes. He trusted that as the great temperance reformer of the day the right hon. Gentleman would be able to induce the Government to take up the Local Veto Bill during the Autumn Session. As there was now an Amendment before the House he was afraid he was a little trespassing, and he would not pursue the matter further than to ask the Government for a Temperance Saturday, which might, perhaps, be permitted to run into a Temperance Sunday.

\*MR. FISHER (Fulham) said, he would not have intervened but for the demands made by the hon. Member for Aberdeenshire (Mr. Buchanan) with regard to the attitude of the Conservative Members for London on the subject of the Equalisation of Rates Bill for the Metropolis.

\*MR. DEPUTY SPEAKER: I must point out that the Amendment before the House is that the word "Government" stand part of the Resolution.

MR. FISHER, on the point of Order, asked if he might not reply to the remarks

of the Chancellor of the Exchequer as to their position in regard to the equalisation of London rates?

\*MR. DEPUTY SPEAKER: At present the hon. Member must keep to the Amendment.

\*MR. FISHER said, in that case he felt bound to oppose the Amendment. If the Resolution stood unamended in the direction of the words of the hon. Member for Islington, Her Majesty's Government might have some time to give to the passing of the Equalisation of Rates Bill. The President of the Local Government Board stated that if that measure were treated as non-controversial Her Majesty's Government might find time for it.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): Would.

MR. FISHER: Would find time for it; and the hon. Member for East Aberdeenshire (Mr. Buchanan) thereupon asked—"Why do not you accept the offer of the right hon. Gentleman?" That was an utterly absurd question, because although the great majority of Conservative Members were in favour of the measure, it must in the very nature of things be controversial. It would result in the raising of the rates over a portion of the Metropolis, and the diminution of rates over another portion, and it was only natural that the Representatives of the constituencies whose rates would be increased would desire to discuss the Bill. The Employers' Liability Bill and the Equalisation of Rates Bill would have been a very useful programme for the Autumn Sitting, but the Government cared nothing for London; they said—"Ireland we know. Wales we know; but you Londoners, who are ye?"

MR. BARROW (Southwark, Bermondsey) said, that last February he moved a Resolution in favour of the equalisation of rates in London; and since then he had only heard of one district which was getting up an opposition to it. He did not understand why the President of the Local Government Board shirked the question; he said that advisedly, because an unconditional promise was made on the subject, and to his mind the action of the right hon. Gentleman showed a want of courage. The present position of the right hon.

*Mr. Fisher*

Gentleman on the subject was not at all on all-fours with that he took up when he accepted without reservation the unanimous Resolution of the House last February. Since that Resolution was adopted the right hon. Gentleman had introduced a Bill of one clause, in which he foreshadowed the taxation of the richer parts of London to the extent of £850,000 a year, which was to go to the relief of the poorer districts of the Metropolis. Did he now think the poorer districts were going to stand by and see the question indefinitely postponed? This was not a question of sentiment, for it resolved itself into hundreds and thousands of pounds being saved to a certain proportion of London ratepayers. The voters of London would receive the announcements of the Government generally, and the announcement of the President of the Local Government Board specifically, with nothing short of dismay; and if a General Election were to arrive, it would mean disaster for the Liberal Party in London. The London Liberal candidates put London Home Rule as their second plank to Irish Home Rule. They had stood loyally by the Government, and now they were anxious to fulfil their pledges to their constituents. Were the Government going to back them? The Tory Members opposite were pronouncing in favour of this Bill; and what were the Government going to do for their own supporters, who had been most ardent in their desires for the passage of this measure? If the Government did not change their attitude on this question the Tory Members in London would take credit with their constituents for desiring to bring about the equalisation of rates in London, whilst they would say the Government were against it. Of course, he was not suggesting that was true; but that was the way the case would be put. He appealed to the President of the Local Government Board to consider where he was on this subject, and whether he was not placing the Liberal Members for the London constituencies in a false position?

MR. ASQUITH: I desire only to say two or three sentences on this question which has formed the subject of the last two speeches. I should sympathise to the full—and I am sure every Member of the Government would



—in the disappointment to which the hon. Member for Bermondsey has just given expression, if I thought that the decision we were asking the House to come to would necessarily involve the fate of the Equalisation of Rates Bill. It does not involve anything of the kind. My right hon. Friend the President of the Local Government Board said at an earlier stage of the evening, and my right hon. Friend the Chancellor of the Exchequer repeated just now, that, under the Resolution as it at present stands, it is open to the Government not only to take Supply, but to take non-controversial Bills. [An hon. MEMBER: What is a non-controversial Bill?] Without giving an exhaustive definition, for this purpose a non-controversial Bill is a Bill in which nine-tenths of the persons interested in the question are agreed. If my hon. Friend is right in his facts—as I hope and believe he is, so far as the London Members are concerned, the only Members of the House who are directly interested in this Bill—there are only two or three who are opposed to the principle of the Bill. That being so, I venture to say this is a non-controversial measure. [*Opposition cries of “No, no!”*] I say that, if it is not treated as a non-controversial Bill, or if, in other words, the Government are debarred from doing what they are most anxious—namely, of bringing in the Bill, or carrying it through before the adjournment to the Autumn, then the responsibility will lie with those hon. Gentlemen opposite who oppose this course. That, Sir, is our answer to the appeal of my hon. Friend.

MR. LONG (Liverpool, West Derby): Sir, the right hon. Gentleman the Home Secretary has laid down a principle which is as novel as it is extraordinary. He has invented for himself a definition of the term “non-controversial.” He has told the House—what must have astonished hon. Gentlemen opposite as much as hon. Gentlemen on this side—that a non-controversial measure is a measure upon which nine-tenths of those who are interested are agreed in principle. [Sir W. HARCOURT: Hear, hear!] Does the right hon. Gentleman the Chancellor of the Exchequer, who is now the Leader of the House, cheer the notion that a measure is agreed upon because in principle it is approved? Does he

suggest that the Committee and Report stages of a Bill are of no value? I hear the Home Secretary say the Bill is a Bill of only one clause. What the House has agreed upon is that the House shall pass some measure in order to amend the principle on which the rates of London are paid and the burden of the rates is borne. But that the House is agreed on the Bill as it stands word for word, or with this method proposed in the Bill, is a totally different question; and I submit there has been no indication of opinion, from any quarter of the House, that this is a Bill which can pass under the ordinary definition of the term “non-controversial.” I contend, Sir, that if the Government are going, at the last moment, to claim that this Bill is to be dealt with as one which is non-controversial, they will be departing from the spirit of the arrangement which they made earlier in the evening. It is idle for me to suggest that I can speak for those who are interested in this question; but I know, from the communications that have passed between myself and those who have the honour of being the Leaders of the Party on this side of the House, that this was a measure in particular which was regarded as one which did not come within the definition and description of the Chancellor of the Exchequer. I know it was contended that this was a measure on which different opinions were held, and which could not, therefore, be regarded as a non-controversial measure. The Home Secretary now tries to make cheap capital out of the attitude of hon. Members on this side of the House; and finding himself, the Government, and his Party in stress and difficulty, he endeavours to shift on our shoulders the responsibility he and his friends ought to be strong enough to bear. It is not acting fairly by the House and by the Opposition, at the last moment—past 8 o'clock in the evening, when he is supported by his right hon. Friends, and when this (the Front Opposition) Bench is practically empty—suddenly to spring upon us the notion that this measure is held by the Government to be among those which are non-controversial, and is to be one of the measures which are to be taken. Now, Sir, the House will understand why it was the Chancellor of the Exchequer earlier in the evening

could not name those little Bills which might be added to the two he named. Now we understand his lapse of memory. He could not remember at that moment—he was not in possession of—the name of the little Bill that might be added to those already named. We find now that the Equalisation of Rates Bill is one of them, and this is to be held up as a non-controversial measure! But, Sir, the Debate which took place on the Motion upon which this Bill is founded is within the recollection of Members of this House. It was initiated by the hon. Member for Hoxton, and I think that Debate proved that the principle of dealing with the question of rates in London was agreed upon in all quarters of the House, but the exact way in which it is to be dealt with is a totally different thing. I think, myself, this Bill is an honest attempt on the part of the President of the Local Government Board to deal with a very difficult question; but the President of the Local Government Board himself will, I am sure, agree with me that this is a most difficult question, and that it is extremely hard fairly to apportion the burdens of payment on the shoulders of the different people in London in proportion to the benefit they receive for the work done. The President of the Local Government Board, I believe, has done his best to arrive at a method, but I think there is a good deal to be said upon it, and I confess it amazed me—at the last moment in September, when we have been led by the Government to-night to believe that the labours of the Session are practically ended, and that we have to devote ourselves to Supply, and that only Bills were to be taken which were of a non-controversial character—to hear the Home Secretary get up and chide the Opposition, and tell them if they dare to regard this Bill as anything but a non-controversial measure the responsibility and blame would be theirs, and that they would take upon themselves the risk of losing the measure. I am bound to say I think it is an extraordinary proceeding on the part of a Minister of the Crown who occupies the high position that the Home Secretary does, and a very novel proceeding at this stage of our business. I venture to say that the only construction that can possibly be placed by men accustomed to

the ways and methods and Rules of the House of Commons upon the word “non-controversial” is that it would mean a measure upon which everybody in the House was agreed, not merely in principle, but upon which any discussion would be of the most limited and almost perfunctory character. [*Laughter.*] Right hon. Gentlemen opposite may laugh, and may endeavour if they choose, by discussion amongst themselves, to interrupt the remarks which, I admit, I am most insufficiently delivering on behalf of those who would be here if they had known this proposal was to be made to-night. I only wish my right hon. Friend the ex-Chancellor of the Exchequer (Mr. Goschen) had been present to hear the proposal made by the Home Secretary, because I can safely say he did not understand the position put by the Home Secretary, and certainly no one on this side of the House understood it. I am prepared to say that at this period of the evening, and after what has fallen from the Leaders of the Government to-night, it is not acting fairly and honestly by the House of Commons to regard a measure of this character, which is of first-rate importance, of very great complexity, and which will have a considerable effect on the ratepayers of London, as a non-controversial measure, and allow it to be passed at the end of the Session, when more than half the House has gone, and when many of those who, though they may not be London Members or London ratepayers, are entitled to have their voices heard on questions of this kind, and entitled to ask that it shall not be dealt with in a moment or a hurry, and without the proper time for consideration which ought to be devoted to it.

MR. J. STUART (Shoreditch, Hoxton) wished to point out to the hon. Gentleman who had just sat down that the strictures he had endeavoured to bring upon the action of the Government were entirely out of place. The measure was under full discussion when the hon. Gentleman's friends on the Front Opposition Bench chose to leave the House; and not only was that so, but this measure was shown before they left to be obviously in a different position to other measures under consideration. The principle of this measure had been unanimously adopted by the House. That was not denied.

*Mr. Long*

MR. LONG: I must interrupt the hon. Gentleman. He says the principle of the measure was unanimously adopted by the House. That is perfectly true. The principle that there should be an alteration of the method by which rates in London are dealt with was agreed to; but the way in which that principle is to be applied is the most important part of all, and upon that a great variety of opinions was expressed in different parts of the House when the Motion was discussed.

MR. J. STUART had listened to the hon. Gentleman's interruption and explanation. The principle which this House assented to was a great deal more heroic, and went a great deal further than that there should be some alteration in the rates of London. It went to this—that there should be an alteration of the rates in London with a view to relieving the poorer districts of London. That was the principle to which the House assented, and which was embodied in the Equalisation of Rates Bill. There was no doubt it went further than the very formal outline which the hon. Gentleman had spoken of. Again, the measure was not a complicated one, but the simplest possible application that could be made of that general principle the House had assented to, and he was really very glad to have heard the Home Secretary say that the Government were willing to consider this measure among the list of measures it would be possible to deal with. He thought it would be well if the Government would give an opportunity to the other side of the House and see if they would not let him have the Second Reading of this measure before they went away. All the London Members on that (the Liberal) side of the House had supported the measure; it was down on the Paper for that night, and he would suggest that it should be taken, as he did not believe the London Representatives on the other side of the House wished to oppose it. He believed those hon. Members opposite had just as great a wish and desire to put the rates of London right as the Liberal Members had. This measure did not go beyond London; the whole money collected was restricted to London, and he would suggest that Members, like the hon. Gentleman who had last spoken, who were not London Members, should stand aside in this

matter. Why should they interfere in this question, which affected London alone? Let them leave the matter to be settled by the London Members, and let them see if they could not get the Second Reading that night. That was the suggestion he had to make to the hon. Gentleman opposite (Mr. Long), who, he believed, understood the question, and who had, it seemed to him, got up at this stage of the Debate merely to try to make political capital out of it by endeavouring to put the Government in the wrong. He hoped before the Debate was finished the Government would see their way to make some definite decision with regard to this Bill. They must see that it was a matter of the deepest importance, not only to the London Members, but to the Government themselves. He urged them to make some more definite announcement, although he admitted that what they had said amounted to an admission that this was one of the Bills which it would be in their power to deal with.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. HANBURY (Preston) said, the hon. Member who addressed the House last had said that the Bill dealing with the question of London rates was of a non-controversial character, and might, therefore, be passed through the House. The Government had taken up the whole time of the Session; and if this Bill was one upon which such stress was laid, he thought hon. Members interested in it should not allow the Government to take up time in that way—at any rate, they ought to have insisted upon the measure being brought forward. They could not deny that the matter with which such a Bill would deal was one in which London Members were interested. It was one, however, that was sure to give rise to discussion. He was glad to see the Chancellor of the Exchequer in his place, because there was some controversy between the right hon. Gentleman and himself early in the evening. He asked the right hon. Gentleman to mention the Bill that was considered to be non-controversial; and now they had a distinct statement from the Home Secretary that this Equalisation of Rates Bill was one of them. He would like to have a statement from the Chancellor of the Ex-

chequer as to whether he agreed with the Home Secretary that this was a non-controversial Bill, which should be pressed upon the House before the Adjournment? If the Chancellor of the Exchequer told the House the Bill was a non-controversial one, then he had nothing more to say. But if the Chancellor of the Exchequer agreed with the Home Secretary, then he thought he had not treated the House in the kindest way; for, when the Motion was introduced, he ought to have told them candidly that that was one of the measures the Government intended to bring before the House. The phrase "non-controversial" was, no doubt, very vague, and he thought they were entitled to some expression of opinion justifying this strange interpretation of the term. There seemed to be some difference of opinion as to what the Home Secretary did say; but they on that (the Opposition) side understood him to say that nine-tenths of those interested in the Bill were agreed, though the President of the Local Government Board seemed to think that the Home Secretary referred to nine-tenths of the House. There was a difference of opinion regarding that. The Home Secretary, however, was understood to refer to nine-tenths of those interested in the principle of the Bill. That might cover almost everything. How could they arrive at a calculation with regard to those who were interested? He (Mr. Hanbury) always thought they were all equally interested in the measures brought before the House. At all events, they were all equally interested in any London Bill. The Members of the House had to live in London for six months—or, as this year, for nearly the whole 12 months—every year, and they were all, therefore, interested in legislation in regard to London. So that they would see legislation of this character affected them all, as well as the London Members. He protested against the policy which the Government had adopted of parcelling the House into sections, and saying that a particular section should have an advantage of this kind. This was the policy in the case of Ireland. Now a majority of the Welsh Members wanted Disestablishment of the Welsh Church, and the same policy was to be adopted. And, again, they had it in the case of the London Members. He was under

the impression that they were sent there—the London Members and the rest of them—for the purpose of dealing with matters not only affecting each his own particular constituency, but relating to general questions as well as to the term "non-controversial." He would point out that they might well agree to the principle of the London Bill on, say, Second Reading; but once they got down to details there might be a division of opinion. When they got into Committee, it might be—as in the case of the Home Rule Bill—that the Government themselves would have to introduce Amendments; that, as in that case, they would have changed their minds. Even if they were all agreed on the principle, points might arise demanding consideration and long discussion in the House. For that reason this was not a step which they wished to discourage. What was meant by nine-tenths of those interested? Were they to count heads? Was it to be laid down as a principle that if nine-tenths of the Members agreed to a certain measure that measure became at once non-controversial? They knew the struggle going on between Members from Ireland, Members from London, and Members from Wales and Scotland for precedence for their Bills. The struggle was a keen one. Scotland complained that her interests were neglected, and claimed precedence for her Bills; Welsh Members objected, and said that their measures must have priority; then the London Members came forward with the same claim. Well, in reply to the demands of the London Members, the Home Secretary had enunciated a principle which applied more strongly to Welsh Disestablishment than to equalisation of rates in London. No doubt nine-tenths of the Welsh Members were in favour of that Bill; and if the Government backed up the Home Secretary's definition of a non-controversial measure, there was no guarantee whatever that the Welsh Disestablishment Bill and the Evicted Tenants Bill would not be brought on before the adjournment for the holidays. If the London Bill was treated as a non-controversial Bill, the Welsh Members, if they were true to the interests of the Principality, would insist upon having their Bill dealt with in the same way. The House was too jaded to deal

*Mr. Hanbury*



with any but absolutely non-controversial Bills. What they had to guard against was bad work, and to avoid that they must avoid overtaxing the energies of Members. But if the principle laid down by the Home Secretary were to prevail, they would have a large number of Bills dealt with, and the Members would be at work until the commencement of the Sittings in November. They had in Supply alone—and they should certainly discuss the principal Votes—sufficient work to occupy their attention till the end of September. That being so, the Government, in their own interest, ought not to seek to protract the Sitting. The Leader of the House had already retired from the scene. The only excuse he could plead was his age. His conduct ought not to form a precedent, and they ought to take note of the fact that the man who passed stringent measures of this kind himself ran away and took his holidays. The Chancellor of the Exchequer had not been in the House much during the Debates on the Home Rule Bill, and he could now come in in comparative freshness to lead the House. The right hon. Gentleman had purposely abstained from the discussions of the Home Rule Bill, while the whole of the Opposition had been engaged conscientiously discharging their duties. He hoped that the Chancellor of the Exchequer would throw over the Home Secretary, and would refuse to support the strange and utterly unconstitutional view propounded by the right hon. Gentleman, but would tell the House that in making his former statement it was not his intention to include the Equalisation of Rates Bill among the non-controversial measures.

SIR W. HARCOURT: I do not think it necessary to take any notice of the offensive personalities of the hon. Member. [*Cries of "Oh!"*] If he thinks it of advantage to the House or to the country to talk of the Prime Minister running away—[*Cries of "Oh!"*—I must leave the House and the country to follow their own judgment of the good taste of the hon. Member. The House is accustomed to violations of good taste on the part of the hon. Member. [*Cries of "Order!"*] Well, that is my opinion, and I speak it quite freely. With regard to the question before the House,

the Prime Minister made it quite clear what would be regarded as controversial business and dealt with before the Adjournment, and to that the Government adhere in absolute good faith. As to the remarks of the Home Secretary, I will remind the House how they were called forth. The London Members on this side of the House appealed to the Government to bring on the Equalisation of Rates Bill. That appeal was supported by London Members on the other side of the House, who declared that there was no opposition to the Bill. Well, the Home Secretary stated that if the measure was accepted by those concerned the Government would feel themselves at liberty, and would be perfectly ready, to treat it as a non-controversial Bill. He did not undertake to determine whether a question was controversial or not. I am not going to take it from the hon. Member for Preston (Mr. Hanbury) whether a measure is controversial or not, and I am not going to adopt the hon. Member's courteous invitation and "throw over" the Home Secretary. The good taste of that remark was in keeping with that of the hon. Member's whole speech. I intend to support the Home Secretary; and I say that if a Bill is found to be a controversial one, then the Government will not proceed with it. If the responsible Leaders of the Opposition state that any particular measure is controversial the Government will feel bound not to proceed with it. That was the principle on which the late Mr. Smith acted in regard to the question of the Mombasa Railway, when I thought it necessary to press upon the Government of the day that the matter was controversial. I will take an early opportunity of stating what Bills shall be proceeded with—probably some day this week—what Bills may be looked on as doubtful, and which ones cannot be proceeded with. The responsibility will then rest with the Leaders of the Opposition to take objection to Bills that they consider doubtful.

MR. GOSCHEN: I gather from the right hon. Gentleman that he considers it right that the view of the Opposition as to what is or is not controversial matter should be considered as of vital importance in deciding what measures shall be proceeded with. I would remind the House of the statement of the Home

Secretary, that a certain measure affecting London would be proceeded with as a non-controversial measure.

SIR W. HARCOURT: He did not say that.

MR. GOSCHEN: He said he did not regard it as a controversial measure.

SIR W. HARCOURT: What the Home Secretary said was that if the Bill was treated by the Opposition as a non-controversial measure the Government would be able to go on with it. ["No, no!"] Yes; he said nothing but that. He asked the Opposition to state whether or not they consider it a controversial measure? But it is no use carrying on a controversy on this point. I have made a statement with regard to the intentions of the Government, and to that we adhere.

MR. GOSCHEN: The Home Secretary, as I understand, laid down a definition to the effect that if nine-tenths of those interested in the question were in favour of the Bill, it would be considered non-controversial. That appears to us on this side of the House to be an entirely new definition of what a non-controversial Bill should be. I had the honour of addressing the House previously, and I endeavoured to elicit from the Government whether they accepted the point I attempted to put—namely, that a measure was not controversial if both sides of the House agreed to its principle, but a number of important questions were contained in it raising controversy, which would require full discussion. I do not wish to impute motives to the Home Secretary or the Chancellor of the Exchequer; but I must say it appears to me that an attempt is being made to put on the Opposition the responsibility for the loss of this measure, and that the Government and their friends behind them are "fishing" for a declaration from the Opposition side that this Bill is controversial. If we on this side held the Bill to be controversial the Government would say—"We cannot proceed with it; it is on the Opposition, and not on the arrangements of the Government, that responsibility must rest for the non-success of the Bill."

An hon. MEMBER: The Bill is not controversial on our part.

*Mr. Goschen*

MR. GOSCHEN: No; but several parties are necessary to a controversy. In this case, neither the Government nor the Opposition are parties to a controversy; but there are a number of different and clashing interests to be consulted, and they require that the Bill shall be examined with considerable care, in order that all the various parishes affected shall be able to bring forward arguments and evidence as to the fairness and equity of their case. In time past I have taken a very considerable share in the equalisation of the rates of the Metropolis. I am not fond of speaking of my past, but I am not sure whether there is any hon. Member in the House who has taken so distinct a step in advance in the equalisation of rates as I have done in former years; therefore, I cannot be under suspicion as to my view of the principle of the Bill. What I say is that this Bill is controversial in the sense of raising a number of controversies in various parts of the Metropolis, not in the least from the Conservative, or Radical, or Moderate, or Progressive point of view, but of being fair to all interests concerned; and though we might consent *en masse* to the view that the Bill should be passed or might be taken in hand during the remainder of the Session, surely our constituents would be entitled to say—"You have sacrificed our interests." At all events, we wish that the case of our constituents should be put at necessary length before the House of Commons. The hon. Member for Fulham (Mr. Fisher) assents to the principle of the Bill; but he pointed out distinctly that there were parishes which would claim to be heard, and he instanced one particular parish. Well, under the circumstances, considering the date at which we have arrived, and that Supply has still to be got through, I am inclined myself to say that the House did not expect, and could not expect, after the declarations of the Government, that a Bill of this importance, containing so much detail, would be proceeded with during the remainder of this Session. I venture to think that the Government share this view themselves. We may have some sympathy for them. They have been very hard pressed by their supporters in regard to this Bill; but in making their general arrangements for the work of the Session they ought to

have taken the probability of being hard pressed by their London supporters into account. I am sure the right hon. Gentleman will think it impossible to proceed with the measure, looking at its importance and the interest taken in it in the Metropolis; but I hold that the responsibility for not dealing with it does not rest with the Opposition, but with the distinct claims of the parishes concerned not to have the Bill passed without an opportunity of being heard. If hon. Gentlemen opposite will look at the Debates which have taken place in past times on Bills of this description, they will see that they have always required careful examination. When the proper time comes we on this side of the House shall be prepared to give the Bill every attention. We did not oppose it on Second Reading; but the President of the Local Government Board will admit that there are questions of principle involved in it. It is too much to ask us to discuss it at the period of the Session we have reached. I noticed that the Chief Secretary for Ireland promised that the Irish Bill to which his attention was called should be one of the first measures dealt with next Session. Well, if the Government are anxious to pass this measure dealing with equalisation of rates in London, why do not they give a similar promise with regard to it?

SIR W. HARCOURT: We do.

MR. GOSCHEN: I have not heard the declaration that you will put it in the forefront of your legislation next Session.

SIR W. HARCOURT: We have said so.

MR. GOSCHEN: I did not gather that.

SIR W. HARCOURT: Then I repeat it now.

MR. GOSCHEN: Then, let hon. Members from London be content with that. When the time comes for considering the Bill I am sure there will not be the slightest desire on the part of anyone on this side of the House to delay it. I may say I hope now hon. Gentlemen opposite will see that ratepayers' questions are not those of owners of property—as they contended they were when holding me up to odium for relieving the rates. The Government seem to have been educated by the London Members into a knowledge of

the fact that the rating question in London is really a question for the rate-payers. We on this side of the House have every sympathy with the rate-payers of London; and when the proper time comes we shall be ready to assist the Government in bringing this rating question to a reasonable conclusion.

MR. J. S. WALLACE (Tower Hamlets, Limehouse) said that, as a London Member, he was glad to hear that this Bill would be placed in the forefront of the programme next Session. Being in close touch with the ratepayers of London, he could assure the Chancellor of the Exchequer that, though they were delighted with the passage of the Home Rule Bill through the House, great dissatisfaction would be felt amongst them if this great claim of theirs was postponed indefinitely. Probably when the right hon. Gentleman the late Chancellor of the Exchequer expressed sympathy for an Equalisation of Rates Bill he was not Member for St. George's, Hanover Square, for that was one of the parishes which would have to pay largely towards the assistance of the poorer parishes. He was sorry that right hon. and hon. Gentlemen opposite did not see their way to treat this measure as non-controversial. The hon. Member for Bermondsey (Mr. Barrow) would be able to point out to his constituents the reason why the Bill had not been passed before the holidays.

SIR R. TEMPLE (Surrey, Kingston) said, the present discussion raised the question of the preference for financial business over various measures of legislation. Amongst those measures was the Madras and Bombay Army Bill, which, earlier in the evening, had had the special honour of being mentioned by the Chancellor of the Exchequer. This Bill was strenuously opposed by two hon. Members—namely, the right hon. Member for North-East Manchester (Sir J. Fergusson) and himself. No doubt, if they had an opportunity it would be fully discussed; therefore, he submitted, with all respect to the Chancellor of the Exchequer, that this measure could not be considered as non-controversial. It must be placed in the category of highly contentious measures. The hon. Member for Hoxton (Mr. Stuart) had said that this question of the equalisation of rates in the Metropolis should be left to the

Metropolitan Members solely ; but that was a claim in which many Members could not acquiesce. For instance, he (Sir R. Temple) was not a Metropolitan Member ; but a large portion of his time was devoted to the service of the rate-payers of London, and he claimed an absolute right to discuss the Bill.

SIR F. S. POWELL (Wigan) said, he remembered the occasion referred to by the Chancellor of the Exchequer, when that right hon. Gentleman, on the ground that the question was contentious, objected to the discussion of the subject of the Mombasa Railway. He did not think the whole history of Parliament disclosed a case in which a right hon. Gentleman, who had himself held Office, had taken a more severe advantage of a pledge given by a Government. He (Sir F. S. Powell) had deeply regretted the right hon. Gentleman's course at that time, as he had considered it opposed to the interests of humanity. What had happened since that unhappy evening fully proved that the proposal of the then Government was conceived in the interest of freedom, and of the liberty of the slave, and that the course adopted favoured bondage. He therefore felt, with this example before them, that they were entitled to keep the Government most strictly to their pledge. He hoped the Government would make an effort to pass the Bill dealing with Statute Law Revision. It was only objected to in a form which he did not think commended itself to the House, and which he did not believe to be in accordance with the Rules of the House. He trusted that the Government would overbear that opposition, and would take such steps as would bring about a reprint of the Statutes, so as to bring down the revision to the latest possible date. With regard to the Bill for equalising the rates in the Metropolis, he had been for more than 30 years a ratepayer in London, and for eight years he had been an active member of the Paddington Vestry. He agreed with the Bill in principle, but not with all its details ; and he held that other Members from the Provinces, with himself, were fully entitled to speak on the subject. It was a matter full of difficulties and complexities, as had been exemplified in the case of Liverpool. That town, which was divided into many parishes,

*Sir R. Temple*

had attempted the equalisation of rates, but it had utterly failed up to the present. One figure in the Bill would show how difficult was the problem. A rate of 6d. in the £1 produced an enormous sum—no less than—

\*MR. DEPUTY SPEAKER : The hon. Baronet is clearly not entitled to enter into the details of the Bill.

SIR F. S. POWELL said, he was aware of the Rules of the House, but he was endeavouring to show that the Bill was complex, and could not be regarded as non-contentious. He wished to give one or two details to show—

MR. DEPUTY SPEAKER : The hon. Member can refer to the Bill in the ordinary way, but he cannot go into details.

SIR F. S. POWELL said, that without mentioning figures—[“Oh !”] He would not be extinguished in his remarks by hon. Members opposite, however virulent and bitter they might be in opposition to him. The measure bristled with details. A small addition to the rates amounted to an enormous figure and as different views were held upon many of the details, the Bill could not be considered non-contentious. According to the text of the Bill, it was to come into operation on the 30th September, 1893. Clearly that would be before the consideration of the Bill could be completed. This circumstance proved that the Bill could not be regarded as non-contentious, because some discussion constantly arose as to the commencement of a Bill.

MR. PICKERSGILL (Bethnal Green, S.W.) said, the hon. Member for Preston (Mr. Hanbury) had said the London Members had neglected the interests of London ; and the hon. Member for South St. Pancras had adopted the same tone when he taunted them with giving a steady support to the Government during the progress of the Home Rule Bill. Well, in giving that support to the Government the London Members had only redeemed the pledges they had given to their constituents. They were now, in turn, asking the Government to redeem the pledges they had given to the London Members. It was significant that the only London Member who had raised any objection to proceeding with this Bill was the right hon. Gentleman the Member for St. George's, Hanover Square



(Mr. Goschen), a district in the West where the rates were only about half as much as those paid by the constituency he (Mr. Pickersgill) had the honour to represent in the East End. The district the right hon. Gentleman represented would no doubt be hard hit by the Bill—

An hon. MEMBER: Then it is controversial.

MR. PICKERSGILL: There was some difference of opinion as to what the Home Secretary had said. Well, he (Mr. Pickersgill) had been present all the evening listening attentively, and he had certainly understood the Home Secretary to say that if nine-tenths of the persons interested were agreed on a Bill, he should not regard it as controversial. That declaration, of course, was made with regard to this particular Bill. There were some measures which, although only concerning one portion of the country, would be very far-reaching in effect—the Welsh Disestablishment Bill, for instance, which had been mentioned by the hon. Member for Preston. But obviously the Welsh Disestablishment Bill did not rest on the same footing as the Equalisation of Rates Bill. The latter began and ended in London. Many Provincial Members might be personally interested in the Rating Bill through living in London; but hon. Members did not come there to press their own individual interests on the attention of the country. All the Members who represented London, save the right hon. Gentleman the Member for St. George's, were in favour of the Bill. ["No, no!"] Well, everyone who had spoken supported it. If there were London Members present who were opposed to the measure, he challenged them to get up in their places and say so. If they were not in favour of the Bill, at any rate the constituents who had sent them there were in favour of it. The Bill, as he had said, affected London only. Certain districts were paying towards common sanitary objects which equally concerned all the districts.

MR. TOMLINSON asked if the hon. Member was not out of Order in going into the details of the Bill?

\*MR. DEPUTY SPEAKER: I think the hon. Member is going too much into detail.

MR. PICKERSGILL said, he would merely point out that the object of the Bill was to equalise all over the Metropolis burdens which now fell with crushing weight on the East End. The character of the Bill distinguished it from every other measure before the House this Session. It was a Resolution of the House passed *nemine contradicente*. Moreover, it stood on the Order Book unopposed. Nobody—not even the right hon. Gentleman the Member for St. George's—had a word to say against the principle of the measure. Why on earth, then, could it not be read a second time to-night? This was not a subject which should be made a matter of arrangement between the two Front Benches. London Members on both sides of the House were deeply interested in the question. Most of them were not satisfied with the promise made for next Session. The pledge given by the Government was for this Session. London Members had been charged with neglecting the interests of London; but why had they quietly lain by? It was because they relied on the pledge they had from the Government that they would, at any rate, take the judgment of the House upon it this Session. If the Government would make a strenuous effort to pass the Bill, or if they would carry it even to a Second Reading, it would go a great way towards redeeming the pledges they had given. It was desirable to see who were the friends of the Bill and who were its enemies. Let them, therefore, take the Second Reading to-night.

SIR W. LAWSON (Cumberland, Cockermouth) said, that a short time ago the hon. Member for South Belfast (Mr. W. Johnston) had expressed great regret that the Local Veto Bill was not included in the programme for the Autumn Sitting. He (Sir W. Lawson) was very glad to hear that, for he attended a meeting with the hon. Member some months ago, when he said he would vote against the Bill unless it were extended to Ireland. He was glad to find that the hon. Gentleman was now more enthusiastic in favour of the measure; and he was sure many persons outside the House would be much more grieved than the hon. Member when they read to-morrow that the Bill was not to be included in the Government

programme. He thought it might very well have been included. They had been discussing for the last hour or two the meaning of the word "controversial," and he thought he might claim that the Local Veto Bill was a non-contentious measure. [*Cries of "No, no!"*] He meant that it was a simple Bill to carry out the policy of our present law. As everyone knew, we had rules and regulations of a very elaborate kind for protecting people from the liquor traffic; and this Bill was nothing more nor less than a measure for making efficient the present system. No simpler, no more just Bill had ever been introduced in that House. Why did he say the Government ought to have gone on with it? The hon. Member who had just spoken talked about a Resolution of the House on which the Equalisation of Rates Bill was based. One Resolution! Why, he (Sir W. Lawson) had got three. Thrice had that House, in former Parliaments, passed a Resolution that the policy embodied in the Local Veto Bill ought to be carried out; and the last time, nearly 10 years ago, the House declared that it was urgent. Another reason why the Government should have gone on with the Bill was the fact that they won the General Election much by that cry. [An hon. MEMBER: Home Rule!] Somebody said "Home Rule"; but the Local Veto Bill was just as good, and the Government would find that out by-and-bye. Let them look at the claims of the Bill. It was brought in on the 27th of February, and it excited more interest throughout the length and breadth of the land than many a Bill in the Government programme. [*Cheers.*] He was glad to hear the cheers of hon. Gentlemen opposite, for it showed that they had begun to understand this question at last. They talked about Petitions, but what Petitions had there been for any other Government Bill as compared with this? Very nearly 10,000 had been presented. [An hon. MEMBER: Home Rule!] Home Rule! There were no Petitions at all for Home Rule. Ten thousand Petitions were presented for the Veto Bill, and somewhere about half that number were signed officially on behalf of Public Bodies representing large numbers of people. They had just heard shrieks for London; but the London County Council signed

*Sir W. Lawson*

a Petition in favour of this very Bill, and, therefore, it was just as pressing for London as the Equalisation of Rates Bill. Local Bodies throughout the country, Boards of Guardians, and so forth, had petitioned for the Bill; and the hon. Member for South Belfast was quite right when he mentioned the wonderful demonstration in London. People laughed at demonstrations, but they were of some value; and everybody admitted—at any rate the police admitted—that never in the history of London had there been such a demonstration as was held in favour of the Local Veto Bill. He maintained that he had made out a case of urgency for the measure. In what way was the Bill met when the right hon. Gentleman brought it in? There was not much argument against it, for Members could not allege that the people had not a right to say whether they wanted public-houses or not. The whole cry against the Bill was that it was brought in as a sham, and was not intended to pass. [*Cheers.*] He heard cheers from hon. Members opposite, and, no doubt, they had their little triumph. It was better to be frank. He admitted that they had a very plausible case for saying that. After the defeat they had met with this Session, it was well, perhaps, that they should have something to cheer at. But he did not echo the charge at all—he only said it looked like it. He did not say that Her Majesty's Government brought in the Bill with the intention of deluding the people. He did not wish to revile on this occasion, because he did not see any good in reviling people. He had done what he could with the Government. He had warned them over and over again, and his conscience was clear. Of course, he quite admitted that they had honestly and truly set themselves to see which measures it was most desirable, under the circumstances, to put forward, and they naturally thought that one Bill was more likely to be carried than another, so that the exigencies of time threw them in the course which they had taken. Still, he thought that they had made a great mistake. The House spent its time in legislating for many matters which were of much less importance than others which they never discussed at all. He often recollected an expression used by their

Chaplain, when in one of his sermons he remarked that politicians were in the habit of pursuing the infinitely little, while with the great misery, crime, and wretchedness surging around they made no attempt to deal. He could not let this occasion pass without expressing on behalf of hundreds and thousands of people out-of-doors the great regret which they would experience when they heard of the postponement of this measure. He told his right hon. Friends on the Treasury Bench honestly that they had taken a step which would considerably shake the confidence of the country in them. Yet he believed they had been driven to this course solely against their will. [*Laughter.*] It was all very well to laugh, but why did they bring in the Bill? They brought in the Bill at the demand of public opinion, and that was what Governments existed for. All Governments existed in this country to carry out the dictates of public opinion. The Government attempted to do so in this case, and, as he had said, he was quite sure they had only been driven into this course because time was against them. He hoped, however, that before the Debate closed they would say that they were resolved that early next Session they would bring in the Bill again, and he hoped that they would do so with more satisfactory results than had been attained this Session.

MR. MACARTNEY (Antrim, S.) said, he thought the hon. Baronet had correctly summed up what was the result of the Session—that it was an absolute and complete disappointment. He was grateful to the Chancellor of the Exchequer for his later interpretation, and he thought it would be more satisfactory to hon. Members on that side of the House; but he would also beg the right hon. Gentleman to consider that the question of what Bills were to be taken by the Government during the period before the Adjournment for the holidays was not a question that ought to be decided by negotiations between a group of Members sitting on one side of the House and the Government, but a question on which the Government ought to be frank with the House as a body; and no Government should be more frank than the present Government, considering the position they occupied at the present moment. The Government were asking

Members to come back for an Autumn Sitting after a protracted Summer Session, in order to carry a programme which, owing to their own indiscretion, they had utterly failed in during the present Session. And, further than that, the Government now proposed a most stringent Resolution under which the Business of the country—that was to say, the Business of Supply—was to be discussed by hon. Gentlemen who were sent here for the purpose. Under these circumstances, the Government should take into consideration the wishes of the House at large, and not commit themselves to any knot of hon. Members who might be specially interested in one measure as against other measures in the House. He listened with a great deal of sympathy to the bitter cry that came from the London Members. He could recollect a very important speech made by the Under Secretary of State for the Home Department, in which he told his audience that when Home Rule for Ireland was disposed of Home Rule for London would be proceeded with; and he understood that the hon. Member for Hoxton (Mr. Stuart) and the hon. Member for Bermondsey (Mr. Barrow) felt themselves in a precarious situation; but because the seats of these hon. Gentlemen were unsafe, that was no reason why other hon. Members were to be kept there longer than was absolutely necessary to complete the Supply necessary for the service of the country. He would ask the Government to maintain a firm position on this question, and resist the appeals made to them by the various disorganised sections of their own followers; because if they yielded to one section they would inevitably be torn to pieces by the irritated followers of the hon. Baronet the Member for Cockermouth (Sir W. Lawson) or hon. Members from Wales, who had not shown any great consideration of late for the Government. Therefore, in the interests of the preservation of the Government itself, it seemed to be extremely important at the present moment to resist the appeals of the hon. Member for Bermondsey (Mr. Barrow) and the hon. Member for Cockermouth (Sir W. Lawson).

MR. LITTLE (Whitehaven) said, he thought that if the Government were

considering how best to prolong their existence, they were hardly likely to look for advice to the hon. Member who had just sat down (Mr. Macartney), who had been so free with his advice, and who said it was only the continued existence of the Government that he desired. To-night the Government had had the most remarkable testimony to the Newcastle Programme that it was possible for any Administration to desire. They had had one Member after another getting up, taking one item or another from the Newcastle Programme, and pressing that on the Administration as being the one desire of his constituents. When discussing the Home Rule Bill they heard that the country was not in favour of it, and they were told by the Opposition that it was carried simply by the other items of the Newcastle Programme. What was the position now? For the present, at any rate, that House had done with Home Rule, and they were about to attack the Newcastle Programme. That being so, the contention of the Conservative Party was correct, that the country wanted the Newcastle Programme; and, as they all desired to carry out the will of the country, they ought to assist the Government in making the best selection from the Newcastle Programme. If the Liberal majority was due to the promise of the Local Veto Bill, why should not the hon. Baronet the Member for Cocker-mouth press it upon the Government? Why should not London Members press the Equalisation of Rates Bill? Personally, in various parts of the country he had spoken in favour of the London Programme. [*Laughter.*] Yes; the principle of the Liberal Party was to deal with these topics one by one. He confessed that, having observed what had been going on to-night, he had been led to the conclusion that what the noble Lord the Member for South Paddington (Lord R. Churchill) said in one of his recent speeches was true, and it was this—that though the Government might get an Autumn Session, the Conservative Party would not allow them to pass any of their measures. He had a suspicion that it was not a question of what measure came first, but that there was not an item in the Newcastle Programme that the Conservative Party would not attack and be glad to defeat; therefore

Mr. Little

they were under the impression they had been spending a considerable number of hours upon a discussion that did not seem to be of such vital importance that it would be necessary to take all the time and prevent them getting on with Supply. He believed there was a general feeling that the time had come when some of them should have a little holiday. [*Cries of "No; no holiday!"*] If hon. Members wished to sit on for a month or two, he should not be discontented. He would stay with them, because he found London exceedingly enjoyable during the summer months. But he would suggest that they had pretty well threshed out the Motion before the House; and as he could see that the hon. Member for Preston (Mr. Hanbury) and the hon. Member for King's Lynn (Mr. Gibson Bowles) were yearning to get to the Estimates, he hoped they might now come to a decision.

SIR M. STEWART (Kircudbright) said, it appeared to him that his own country of Scotland had been severely neglected. Although many promises were made, not only at the General Election, but long before and since, nothing had been done for Scotland. On that side of the House they were not in favour of drastic measures; but there were certain measures they thought it desirable to pass into law, as they were useful. Some of them thought that the Fisheries Bill, which was not really contested, would have been proceeded with at an earlier stage of the Session and carried into law; and, speaking for that part of Scotland from which he came and represented, he said there were several Amendments promised to be introduced into the Bill relating to the Solway Firth, which would have given satisfaction to many of the supporters of the right hon. Gentleman. But Scotland had been denied the very smallest amount of legislation; they had had nothing passed; and all that had been done had been an endeavour to keep together a homogeneous Party in order to satisfy them that the Government were in earnest about something. He supposed next Session would possibly be a Scots tin Session. He did not know matters which would have Home Rule importance.

never discussed VANS (Glamorgan, Mid): collected an ar. Is the hon. Member in



Order in referring to next Session as a Scotch Session?

\*MR. DEPUTY SPEAKER: I cannot say he is out of Order in referring to the wishes of Scotland, and suggesting that a Scotch Bill should be included. The Amendment has relation to Financial Business, and the hon. Member must confine himself to that.

SIR M. STEWART said that Wales had also been neglected, and he dared say the Welsh Members would try their hands on the Government; and he hoped they liked and appreciated the letters the Prime Minister sent them from time to time. If his constituents had been so treated they would not have been so subservient. They had passed through a most extraordinary period of doing nothing, and they were now to be kept there some time longer, and then to come back again in November. If the hon. Member for Cockermouth (Sir W. Lawson) had insisted on his fair quota in this year's proceedings, no doubt he could have squeezed something out of the Government; but the hon. Member and his friends, though they made such great talk in the country, came there and sat dumb on their Benches. If the great Temperance Party were satisfied with their Leaders in that House they might as well ignore the matter. There were many questions bearing on the social condition of the people which might and ought to have been brought in and discussed some months ago. The Employers' Liability Bill ought to have been discussed and carried some months earlier; and the Parish Councils Bill did not affect the people in the North at all; and yet hon. Members were to be brought back in November and December to discuss those measures merely to please the caprice of the Prime Minister and his Colleagues. The London Programme did not concern everybody equally; but if some London Members were so anxious for it, why had they not brought it on before? Instead of that they sat dumb, being squared by the Government, and nothing was done. The country was thoroughly dissatisfied with what had already taken place this Session, and they would be more dissatisfied when they heard the result of this Debate. The great friends and allies of the Government were not there to-night. They had gone to Ireland; and would they

come back for the Autumn Sitting? Were they squared—

\*MR. DEPUTY SPEAKER: The hon. Member is not speaking to the Amendment at all?

SIR M. STEWART said, he would bow to the ruling of the Chair, having expressed some of the things he felt deeply upon.

\*MR. DARLING (Deptford) said, before the Division was taken on this Amendment he desired to offer his respectful sympathy to the hon. Baronet the Member for the Cockermouth Division (Sir W. Lawson), who took his place among other persons who had been deluded and tricked and taken in by Her Majesty's Government. It was painful to him to witness and to listen to the pathetic speech of the hon. Baronet, who alluded to the magnificent demonstration that was got up in London by himself and others in favour of the Direct Veto Bill; but, notwithstanding that demonstration, he was afraid that many people would go about London saying that the Direct Veto Bill was never meant to be anything but a sham, which had amply justified its right hon. author. He himself had received and presented to that House many Petitions in favour of that Bill, and with every one of them he had received a request that he would in this Session vote for that remarkable measure. To each of these applications he had always replied that having made a strict—

\*MR. DEPUTY SPEAKER: The hon. and learned Member must keep to the Amendment.

\*MR. DARLING said, he admitted that he had fallen—and he was indebted to the Chair for pointing it out—into a slight error. He was regarding this Bill as Government Business, and he admitted it was nothing of the kind. The Amendment distinguished between what was Government Business and what was not; and he reluctantly had to admit this Bill did not come within one-half of the category. He was further misled by following the remarks that were permitted to be made by the hon. Baronet the Member for Cockermouth (Sir W. Lawson), who was allowed to allude to every topic on which he (Mr. Darling) was addressing the House.

\*MR. DEPUTY SPEAKER : I must call the hon. and learned Gentleman to Order.

MR. DARLING again rose, when—

The Chancellor of the Exchequer rose in his place, and claimed to move, "That the Question be now put."

MR. HANBURY : On a point of Order, can that Motion be put by the Deputy Speaker ?

\*MR. DEPUTY SPEAKER : Undoubtedly it can.

Question put, "That the Question be now put."

The House divided :—Ayes 159 ; Noes 92.—(Division List, No. 287.)

Main Question put accordingly.

The House divided :—Ayes 162 ; Noes 95.—(Division List, No. 288.)

Resolved, That for the remainder of the Session (unless the House otherwise order) the House do meet on Friday at Three of the clock. That Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to every day of the week, and that the Question on any Motion appointing a Saturday Sitting be put forthwith.

That, until the adjournment for the Autumn holidays, Government Business, and the appointment thereof, may be entered upon at any hour though opposed, and be not interrupted under the provisions of any Standing Order relating to the Sittings of the House, except on Wednesday, and that, before One o'clock a.m., no dilatory Motion be moved thereon except by a Minister of the Crown.

## ORDERS OF THE DAY.

### SUPPLY.—COMMITTEE.

SUPPLY—considered in Committee.

(In the Committee.)

### CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

#### CLASS I.

[Mr. J. W. LOWTHER in the Chair.]

Motion made, and Question proposed,

"That a sum, not exceeding £139,238, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1894, for Rates and Contributions in lieu of Rates, &c., in respect of Government Property, and for the Salaries and Expenses of the Rating of Government Property Department."

MR. GOSCHEN : I wish now to ask the Government whether they really intend to proceed with the Votes to-night ? The Chancellor of the Exchequer is aware we did not intend to oppose the final Motion ; but there are certain Amendments we wish to move.

\*THE CHAIRMAN : I am afraid it will not be possible for the right hon. Gentleman to refer to what has already taken place this evening, or on former occasions.

MR. GOSCHEN : With the indulgence of the House, I wish to make this appeal to the Government. We cannot explain, before the Vote is taken, what attitude we propose to take. [*Cries of "Order!"*] I appeal to the Government to give me a little licence.

\*THE CHAIRMAN : I am sorry to have to intervene. I do not think this is a matter in which Her Majesty's Government can give any licence. We are bound by the strict Rules of the House, and according to these strict Rules it would be out of Order for the right hon. Gentleman to refer to the incidents of this evening, and especially to the incidents which relate to the Motion the House has just passed.

\*MR. BARTLEY moved to reduce Sub-head A. of the Vote by £100. There were several remarkable points about the Vote. He believed it was only in modern days that rates on Government property had been paid at all. In olden days Government property was largely exempt from rating ; but now rates were paid in the locality in which the property was situate. There was one very important exception ? The Mercantile Marine Fund, administered by the Board of Trade, paid no rates on its property. For that state of things a more complete reason ought to be given than was given earlier in the Session by the Secretary to the Treasury. But there was one matter which required more direct consideration, and that was the enormous sums for salaries included in this Vote. According to the Estimate the salary of the Treasury Valuer and Inspector of Rates was £600 a year, rising £20 a year to £700 ; but the gentleman who now occupied that position received £1,000 last year, which had been increased to £1,200 this year. Why was this official receiving double the salary he ought properly to receive ? There was another

matter which required some explanation. A note to the Estimate stated that the Post Office paid £1,900 a year and the Telegraphs £3,990 a year towards this Vote. He would like to know why these Departments paid these sums, and in what way these items were brought into the account at all? As to the valuer, the Secretary to the Treasury had said a short time ago that the whole of the work of valuing had been completed. That work was chiefly confined to London, and if it was finished it seemed strange that the valuer should be retained. With a view to obtain some elucidation of the matter from the Government, he begged to move the reduction of Item A, which dealt with salaries, by £100.

Motion made, and Question proposed, "That Item A, Salaries, be reduced by £100."—(*Mr. Bartley.*)

MR. HANBURY said, that on the last occasion the Estimates were before the Committee the Secretary to the Treasury had asked the Committee to allow this Vote to pass *sub silentio*, because, according to the right hon. Gentleman, it had been the rule not to discuss it, and there was nothing new in it. That was no good reason why the Vote should not be discussed now. On the contrary, it was a reason above all others why the Committee should discuss it. This question of the rating of Government property was of the utmost importance. It was in a very unsettled state at present, for even the lawyers were not agreed what property ought to be and what property ought not to be rated. Ambassadors' houses were, he thought, to be rated for the first time, and also the apartments of private individuals in Royal Palaces. For instance, the occupants of Hampton Palace had rates placed upon them for the first time. He thought the Committee were entitled to a clear and distinct statement from the Secretary to the Treasury in respect of the salary of the Treasury Valuer and Inspector of Rates. Of course, it might be said that this salary was only of those salaries so often distinguished on the Votes by an asterisk, and the note "Personal to the present holder." He objected to all salaries personal to the present holders. If a salary was good enough for one holder it was good

enough for all. The Vote should not be allowed to pass unless a clear and sufficient reason were given by the Secretary to the Treasury why this gentleman should be treated in this exceptional manner. At any rate, the fact that he was to draw this year a salary nearly double that of the maximum salary of the office entitled them to a declaration as to the work he was doing. How long had he ceased to draw his legitimate salary? He wanted to know upon what rule the Treasury put down salaries of this kind. It was wholly irregular, for the Treasury had no power to grant such salaries. There was no power, so far as he knew, for a Civil servant to draw more than the standard salary fixed for his office. Was this gentleman doing extra work? What was the special work he had to do. He had at least a Second Division clerk and a copyist, and, in addition, he drew travelling expenses of £60 a year. His position was practically a sinecure, inasmuch as when the assessments were once fixed they did not vary very much. He wished to know whether the Secretary to the Treasury would grant a Return similar to that of 1877, which would enable the Committee to form an opinion as to whether the rates on Government property were fairly assessed; and how far the principle was enunciated by this House under the Telegraphs and Fortifications Acts—namely, that Government property should pay the ordinary rates levied upon property belonging to private persons—had been carried out? Although Parliament distinctly laid down that rule, the matter was taken before the Courts of Law, the Government having refused to pay certain rates, and the Court decided that there was no power to force the Government to pay the rates, and the Government did not pay them. This was not fair to the owners of private property. The Government did not pay rates on the same scale as private owners, and this was a matter that he thought should be put right. If an Act was passed that the Government should pay rates, it was only right and fair that the Government should carry out the Acts, both in the letter and spirit. Unless the Committee had a satisfactory answer on these points, he hoped his hon. Friend who raised the discussion would go to a Division.

MR. A. C. MORTON (Peterborough) said, he was glad that hon. Gentlemen opposite had at the eleventh hour come to view this question in its proper light, although when he had over and over again called attention to it when the late Government was in power he had received no assistance from those hon. Members. He was sorry the hon. Member had not moved to reduce the Vote by £500, as he would have been very pleased to "tell" with him. They had had no explanation whatever upon the point. As he understood, the Government fixed the value themselves; there was no appeal against that, and they fixed it much lower than other people in a parish had to pay. Those in the parish always considered that the Government in these matters never paid a fair share of the local rates.

SIR J. T. HIBBERT pointed out that the observations of the hon. Member had nothing to do with this Vote.

MR. A. C. MORTON said, that what he contended was that the work done by this gentleman was only done in a haphazard manner. He received £700 a year for what was done by some second-class clerk, who got nothing for doing the work. It was quite true that the Government never paid their fair share of the local rates, and he would have great pleasure in voting for the reduction.

SIR J. T. HIBBERT said, without intending any offence, he thought it was clear that the hon. Member for Peterborough knew very little about the matter. In his opinion the Treasury had power to increase the salary of the Treasury Valuer as well as of other officials. The present Treasury Valuer was the best man for the post in the whole of the United Kingdom, and he had the whole assessment of Government property placed in his hands. In 1869 he was transferred, as Inspector of Rates, from the Poor Law Office to the Office of Works, and the whole assessment of Government property was placed in his hands. At that time he was paid £500 per annum and an extra allowance of £200. When the Government purchased the telegraphs in 1872, owing to the increased work he had to do the salary was raised to £700. Since that time he had been in personal communication with the Local Authorities throughout the

country. In 1883, owing to his long service and skill, his salary was raised to something like £1,200, and that was the whole history of his salary. One thing that could be said in this gentleman's favour was this—that at the present moment the Treasury had not a single dispute with any Local Authority.

MR. A. C. MORTON: They cannot dispute it.

SIR J. T. HIBBERT said, that if they were to look into the valuations they would find that they were in accordance with the valuations passed by the different Assessment Committees. At the Treasury they had had no complaints from the Assessment Committees. He ventured to say that anyone looking into the valuations would find that they compared very favourably with the valuations of private property.

MR. A. C. MORTON said, he had heard cases of this sort, that when anything was said about having an increase the answer was that it was an act of grace that it was given to them at all, and, therefore, they could not go behind it.

SIR J. T. HIBBERT said, he would be glad to consider whether a new Return could not be issued. He saw no reason why the Committee and the country should not have full information on a matter of this kind. He hoped that his hon. Friend who raised this discussion would now be satisfied that this gentleman, although he was in receipt of a considerable salary, was not paid more than his deserts. He was specially adapted for the work, and if he retired the whole staff would have to be rearranged, though it was not a very large one. On the grounds he had specified he hoped his hon. Friend would be satisfied as to this question.

SIR J. GORST (Cambridge University) could not, of course, say anything against the salary which was given to the Treasury Valuer, because it was given by the late Government; but he entirely agreed with the right hon. Gentleman that the present holder of the Office fully deserved the salary paid to him. He was quite willing to admit that this practice of paying a personal salary was a very bad one, and he should be glad if any way could be discussed in which officers of exceptional merit could have that exceptional merit recognised



without this rather objectionable practice of paying personal salaries beyond that which Parliament had sanctioned as the proper remuneration for the particular work performed. In connection with this salary there was one point which the right hon. Gentleman did not notice. The hon. Member for North Islington had asked why that salary had been increased £200 since last year, and for that very substantial increase the right hon. Gentleman did not give any reason whatever.

**SIR J. T. HIBBERT:** The salary was increased to £1,200 in the year 1882.

**SIR J. GORST** said, if that were so, then the Estimates were very wrongly prepared. For the year 1892-3 the salary was put down at £1,000, and in 1893-4 at £1,200. So that, according to the Estimates, the increase had been made in the past year. With reference to the rating of the offices of the Mercantile Marine, the right hon. Gentleman said that they were not rated because the rates would have to be paid out of the Mercantile Marine Fund, which he led the Committee to suppose was contributed by poor seamen, and, therefore, ought not to be touched for such a purpose. As a matter of fact, more than half of that fund; or something like £40,000 a year, was voted by the House of Commons to that fund; and, therefore, there was no reason why Parliament should not contribute a trifle more for the rates of the offices.

**VISCOUNT CRANBORNE** (Rochester) said, if they were really to understand that the £1,000 which appeared in the Estimates for 1892-3 was an inaccurate figure it threw a terrible doubt on the whole of the volume of Estimates hon. Members had before them. How were they to discuss the Estimates if the very first item was found to be inaccurate?

**MR. A. C. MORTON** thought that unless some explanation was given on this matter the Government ought to postpone the Vote. The right hon. Gentleman had practically told the Committee that the Estimates were wrong, and they ought to know who was to blame. With all respect to his right hon. Friend, he was not at all satisfied with his reply. This was not a personal

matter, but a question of principle as to the salary. The right hon. Gentleman attempted to explain about the extraordinary duties this gentleman had got to perform. All he could say was that he had to communicate with the Local Authorities. That simply meant sending a communication intimating that the Government would pay so much; they would not listen to anything else, and there was no use protesting. Protests had been tried, but the answer of the Department was—"This is an act of grace; the Government are not obliged to give you anything, and you must take what they offer or nothing." The Local Authorities, therefore, took what they could get. The right hon. Gentleman said that upon the retirement of the present Treasury Valuer the next gentleman who was appointed would have to commence at £600 and would go to a maximum of £700. But the new gentleman would have to write to the Local Authorities as well as the present valuer, therefore the reason for the increase would be as applicable to the new man as to the present one. The right hon. Gentleman had given no reason for this personal salary. He had not told them this gentleman had been to Egypt or anywhere else, or that he had done any extraordinary thing which entitled him to more than the fair salary of this office. He thought himself that £700 as a maximum was a very high salary, and this system of rushing up salaries from a maximum of £700 to £1,200 on personal grounds was a bad system and one which ought to be put a stop to. The right hon. Gentleman had said that he (Mr. Morton) was looking after the rates and not the taxes. The right hon. Gentleman was utterly wrong. He was looking after this £500 wrenched out of the pockets of the taxpayers, not of the ratepayers. He knew the ratepayers complained that the Government did not assess their property up to the fair value, and did not have it re-assessed every five years like other owners of property. He was entitled to look after that £500 of the taxpayers' money, and he should be doing wrong if he allowed either a Liberal or a Tory Government to plunder the taxpayers of this country to the tune of £500 a year. He hoped, therefore, he should

have an opportunity of going to a Division on the question.

\*MR. GIBSON BOWLES said, the right hon. Gentleman had told them that this increase of salary was made in 1882.

SIR J. T. HIBBERT explained that owing to bad eyesight he had read 1882 instead of 1892 as the year in which the valuer's salary was increased to £1,200.

\*MR. GIBSON BOWLES said the only thing the right hon. Gentleman had not told them was why this valuer was necessary at all. He himself had no valuer, and he did not suppose any gentleman present had, but they all paid the rates which were assessed by the properly constituted authorities.

SIR J. T. HIBBERT: The properly constituted authorities employ a valuer.

\*MR. GIBSON BOWLES said that if it was alleged there was any economy in employing a Government Valuer he would point out that this official cost 1 per cent. of the total amount of rates paid by the Government. He said that such a state of affairs was perfectly monstrous. He did not know how this gentleman's salary had crept up from £500 to £1,200 a year. The assertion that this was in consequence of extra duties which had been put upon him would go to prove he had not enough to do before. As far as he could see this gentleman must have been some favourite. [Sir J. T. HIBBERT: He has 30 years' service]. He expected the gentleman must be an auctioneer from the insidious way in which the salary had crept up from £500 to £700 and then from £700 to £1,200 a year. This official had three assistants, and the Government paid 1 per cent. on their rates of valuation. He (Mr. Gibson Bowles) would do it for 1-8th per cent. Possibly somebody more reasonable would do it for 1-16th per cent. [Mr. A. C. MORTON: Hear, hear!] The hon. Member for Peterborough would do it for 1-20th per cent. In fact, it did not require any doing at all. The Government ought to submit to a valuation made by the proper authority and then pay the amount so assessed. It did not require any person to oversee their cheques. These four gentlemen were taking £2,028 a year for what ought to be done by a third-class or fourth-class Treasury clerk. He did not say this was a job, but it was an

abuse which had grown up, and one which could be reasonably knocked off. If they cut off the whole of these four gentlemen as regarded salary, and discharged them into the world with a pension to earn an honest livelihood in some other way, the Public Service would be in no way prejudiced.

\*COLONEL HUGHES (Woolwich) observed that the reason Government property was not valued in the same way as other property was because the Government did not pay rates, but made a contribution in lieu of rates. He held the opinion that the Government ought to pay rates the same as other people. They ought to submit to the ordinary jurisdiction of the Assessment Committee, with the right to appeal and have their property fairly valued the same as other people. As a matter of fact, the Government had buildings to a considerable extent erected at Government works, and the Treasury would not have them valued for years after they were erected, and until very considerable additions were made, whereas if a private owner were to put an additional storey to a building he would be at once pounced upon by the Local Authorities. Having the power entirely in their own hands, it was a voluntary matter with the Government so far as to what the value should be. There was no appeal against the Government valuation. He thought, however, that a better official than the gentleman who filled the post of Treasury Valuer could not be obtained, for not only did he make an extremely favourable valuation for the Government, but he persuaded the Assessment Committee that the Government valuation was a fair one. He hoped the time would come when the present system would be abolished, and the Government would allow their property to be rated in the ordinary way.

MR. PICKERSGILL (Bethnal Green, S.W.) said the hon. Member for King's Lynn (Mr. Gibson Bowles) was a great economist, but he could assure that hon. Gentleman that if all these officers were disestablished and disendowed, and the assessment of Government properties handed over to the Assessment Committees, although the salaries of these four officers would be saved, the charge upon the Exchequer would be much bigger. The Secretary to the Treasury

*Mr. A. C. Morton*

said that, in his judgment, the public were entitled to the fullest information with regard to the valuation of Government properties. He was glad to hear that, because he had been in communication with the right hon. Gentleman in order to procure a Return of the nature indicated by one hon. Gentleman opposite. A slight difference, however, had arisen between himself and the right hon. Gentleman with regard to the form. The Secretary to the Treasury was willing in this Return to give in a lump sum the total valuation for all Government property in each parish. That was obviously not sufficient. It would not enable them accurately to gauge whether any particular piece of property was properly valued or not. What he wanted was that each particular property which was separately assessed should be separately entered in the Return, and it was only in this way the public could have that full information which the right hon. Gentleman said he desired to give. He was willing to make a deal with the right hon. Gentleman. If he would give the Return in the form in which it had been asked, he should have pleasure in voting for him; if he declined, he was afraid he must vote against him.

\*SIR R. TEMPLE said, the question really was whether the sum of £250,000 was properly sufficient in discharge of the debt which the nation owed to the various Local Authorities of the United Kingdom, who were already over-burdened with rates for their local improvements. He knew it was not possible for a private Member to move that a Vote be increased in amount, but he was entitled to press upon the Government whether that amount was fair and just as between the general Treasury and the various local treasuries which had to bear so many public burdens. That was a matter of principle. The Secretary to the Treasury, if he understood him rightly, said that the amount upon the Government buildings all over the country was assessed upon the same principle as the various private properties. But the fact was the Government were not paying rates exactly the same as the owners of private properties. They were compounding and paying a composition for the rates which were due by them to the various Local Authorities. The question really was how this amount was ascertained?

It was ascertained by an official valuation made by an official valuer. But was not the Government here acting as the judge in its own case? The Government owned the property, paid the composition for the rates, and yet had the value on which these rates were fixed assessed by its own valuer. Was it not clear that this amount ought to be assessed, not by a Treasury Valuer, but by an independent valuer, by somebody entirely independent both of the Government and the Local Authority, and who should act as judge or assessor between the two parties—that was to say, between the Treasury who was to pay and the Local Authorities who were to receive payment? He submitted that the question was not one as to whether this Vote should be smaller or larger, but one as to what was just as between the Treasury and the Local Authorities. He did not want to enter into whether it was a local or an Imperial question; but he could speak on the subject from his experience in connection with Education Boards, and he thought that such authorities as made the quinquennial valuation or the London valuation, amounting to £33,500,000 annually, would judge properly between the Treasury and the various Vestries that made the rates. The authorities who valued the entire land and houses in London for the Metropolitan rates could estimate the rateable value of the Government buildings within that area in the most trustworthy and independent manner. If so, they did not want a Treasury Valuer at all. They were trustees for the taxpayers, but they were bound to see that justice was done to the Local Authorities also, and it was on this ground that he ventured to trouble the House.

COLONEL NOLAN (Galway, N.) said, he would like to know whether rates were paid in Ireland upon both military and police barracks, and whether any distinction was drawn when barracks were unoccupied or temporarily occupied? He would also ask, was it the same person who valued both for England and Ireland? He hoped these questions would be answered.

MR. MACARTNEY said, the hon. Member for Peterborough (Mr. A. C. Morton) blamed hon. Members on that (the Opposition) side of the House because they did not sur-  
that

question before. If they did not support him it was his own fault. He had listened to the hon. Member, and he was bound to say that he did not think he previously understood the matter properly. Now, however, the matter had been explained.

SIR W. HARCOURT: No, no!

MR. MACARTNEY said, perhaps the right hon. Gentleman would allow him to finish what he was about to say. He was bound to say that, having heard the matter explained, he would vote upon the particular merits of the question, and not against the Government itself. The Secretary to the Treasury had shown that the salary now being paid to the valuer was a salary to which he was fully entitled. The hon. Baronet who had just spoken had referred to the transfer of the rate question to the Local Authorities. He (Mr. Macartney) did not think anything could be more foolish. He did not believe that the Local Authorities could be trusted to make the assessments on Government buildings. They would be inclined to throw as heavy a burden as they could upon the Government, and lighten the charge upon the ratepayers at the expense of the general taxpayers of the Kingdom. He objected to any Government yielding to that suggestion.

\*SIR R. TEMPLE said, he did not recommend that it should be made over to the Local Authorities, but that the Local Authorities should be independent of the Government.

MR. MACARTNEY said, yes—if such authority could be discovered. He did not think it could. As between the local and the general taxpayer, the former was entitled to consideration; but they should be prepared to allow some preference in the case of the general taxpayer of the Kingdom. With regard to special salaries, they ought to be carefully scrutinised, but not abolished—he would treat the salaries generally as such salaries might be treated by a private firm. A charge of a grave character had been made with regard to the assessments, and he did not think it should have been made, as there was no evidence to support it.

MR. MORTON said, he did not expect to try to vote with him; he did not think they would have sufficient courage this way. He maintained, not-

*Mr. A. C. Morton.*

withstanding what the hon. Member (Mr. Macartney) had said, that these properties were purposely undervalued. He hoped they would allow the Local Authorities to value them. He thought a fair case had been made out for the consideration of the question, so that Local Authorities might be fairly treated. The present system was not fair. They had not a fair explanation in the Paper before them, and it was but right that they should have.

THE CHAIRMAN was about to put the question.

COLONEL NOLAN said his question had not been answered.

\*SIR J. T. HIBBERT said, in reply to the hon. and gallant Gentleman, he had only to say that the same system was adopted in Ireland as existed in England and Wales. Dissatisfaction had been expressed in the House with the method of valuing this class of property, but he understood that no complaints had been received from the country.

MR. A. C. MORTON: It is no good complaining.

\*SIR J. T. HIBBERT said, objection had been taken under various Governments; but each Government refused to allow Government property to be dealt with in the same way as other property. They gave contributions to Local Authorities; and, so long as the rating was fair and equal, he did not think they could do anything.

Question put.

The Committee divided:—Ayes 58; Noes 147.—(Division List, No. 289.)

Original Question put, and agreed to.

Resolution to be reported.

Motion made, and Question proposed,

“That a sum, not exceeding £142,176, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for the Erection, Repairs, and Maintenance of Public Buildings in Ireland, for the Maintenance of certain Parks and Public Works, and for Drainage Works on the Rivers Shannon and Suck.”

Motion made, and Question, “That the Chairman do report Progress, and ask leave to sit again,” put, and agreed to.

Resolution to be reported To-morrow; Committee also report Progress; to sit again To-morrow.



LABOUR DISPUTES (ARBITRATION)  
BILL.—(No. 308.)

SECOND READING.

Order for Second Reading read.

SIR M. HICKS-BEACH (Bristol, W.) was understood to ask whether the Chancellor of the Exchequer proposed to make any statement with regard to the progress of this Bill?

SIR W. HARCOURT was understood to reply that he would on Thursday.

Second Reading deferred till Monday, 18th September.

EXPIRING LAWS CONTINUANCE BILL.

SECOND READING.

Order for Second Reading read.

SIR J. T. HIBBERT said, he hoped the House would allow the Second Reading to be taken, leaving over discussion until a later stage.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir J. T. Hibbert.*)

VISCOUNT CRANBORNE (Rochester) said, the Financial Secretary had promised to give them an opportunity of discussing this Bill. There were questions which would have to be discussed in Committee, such, for instance, as the Endowed Schools Act; and if the Bill were read a second time the Government ought to bring on the Committee Stage at a reasonable hour. The House was aware that the Government was taking an entirely new departure, and they had a right to expect that Ministers would afford facilities for the discussion of the schools question. It involved a complete reversal of the policy of the Government when they passed the Act. Particular words were discussed and struck out of the Bill, and the Government had proceeded as if they remained. Under the circumstances, whatever time of night it came on, the Bill would have to be discussed. It was a matter of great importance, and the Government should allow ample opportunity for discussion.

SIR T. LEA said that if the Bill were proceeded with to-night the right hon. Gentleman the Secretary to the Treas-

ury must undertake to allow time for discussion on the Committee stage.

MR. T. W. RUSSELL said, there would have to be a good deal of discussion in connection with the Ballot Act. No doubt there was plenty of time to deal with the question; but he wished to give notice to the Government that this question would have to be discussed, whether in the daytime or in the small hours of the morning.

MR. BARTLEY said that under the new arrangement Supply could go on to any hour, and if these Bills were to be taken after these subjects had been disposed of, the House would find itself dealing with them at 3 or 4 o'clock in the morning. He thought they should have a pledge from the Government that if the Second Reading of the Expiring Laws Continuance Bill were allowed to be taken, the Committee stage should be commenced before midnight.

SIR J. T. HIBBERT said, he could not give any pledge at the moment as to the time at which the Bill would be brought on in Committee; but he would suggest that any hon. Member who took objection to any particular measure proposed to be continued should give notice of his objection by putting down Amendments on the Paper. It had been laid down that no Amendment could be moved to the clauses of measures contained in this Bill. The only Amendment which could be moved would be to omit a measure from the Expiring Laws Continuance Bill.

MR. TALBOT (Oxford University) said, the Intermediate Education Act passed by the late Government was now being interpreted in a manner dissimilar to the view taken of the measure at the time of its passing. The bulk of that Act was permanent, there being only some few clauses contained in the present Bill, and it was to those clauses that objection was taken. Those who objected were not masters of the time of the House. They were at the mercy of the Government; but sufficient had transpired to-night to induce them to believe that on both sides of the House there was a desire to render the proceedings of the House for the rest of the Session as little controversial as possible. If, therefore, the Government wished the friendly feeling which prevailed on these matters

to continue, they must meet hon. Members as far as possible. It would be difficult to deal with the Intermediate Education Act if it were not commenced until 1 o'clock in the morning. He would appeal to the Government to break off Supply at an early hour some day, so as to enable the Act to which he referred to be entered upon at a reasonable time. If the Secretary to the Treasury wished hon. Members to give notice of their Amendments he must allow them a fair opportunity for doing so.

MR. TOMLINSON (Preston) said, he thought that ample notice of the intention to take the Committee stage should be given, in order that hon. Members might put down Amendments, particularly to the Ballot Act, and that the Government might give effect to such as they thought reasonable. In cases where only parts of Acts were contained in the Bill surely it would be competent for the Government to withdraw some of those parts.

SIR F. S. POWELL said, he thought the time had come when the Ballot Act should no longer be continued from year to year, but should be made a permanent Statute in form as it was in fact. He hope the Government would take this matter seriously into consideration; and while making it permanent, he hoped they would take into view the case of the illiterate voter. Now that they had single-Member constituencies, there was no reason why the voter should not be supposed to be literate enough to give his vote for one or even two Members on a list.

SIR J. T. HIBBERT said, that if the Bill were read a second time he would put the Committee stage down for that day week.

Motion agreed to.

Bill read a second time, and committed for Monday next.

LONDON (EQUALISATION OF RATES) BILL.—(No. 332.)

SECOND READING.

Motion made and Question proposed, "That the Second Reading be deferred till Monday, 18th September."

MR. J. STUART asked why the Government were not prepared to read the Bill a second time to-night? The Chancellor of the Exchequer and every

*Mr. Talbot*

Member who had spoken on the Ministerial and on the Opposition side of the House were in favour of the Bill. Why, therefore, should not they proceed with the Second Reading to-night? The proposal to defer the measure until the 18th instant was an extraordinary one, for it would then be impossible to deal with it. The Home Secretary had assured them that the Bill came within the list of those which could be reasonably dealt with before the close of the Session; and certainly the conditions he had laid down as entitling the Bill to be considered non-controversial were satisfied so far as this Bill and the London Members were concerned. He asked the Home Secretary to bring what influence he could to bear upon the other Members of the Government to induce them to read this Bill a second time to-night.

\*THE PARLIAMENTARY SECRETARY TO THE TREASURY (MR. MARJORIBANKS, Berwickshire): The right hon. Gentleman the Chancellor of the Exchequer, at an early period, said he would proceed with no Government Bills to-night. The last Bill was only dealt with by the general assent of the House, and it was essentially a non-controversial measure. The right hon. Gentleman said that on Thursday he would make a statement as to the Bills to be proceeded with this Session; therefore, I think it would only be fair to put the Bill down for that day.

Second Reading deferred till Thursday.

CONTAGIOUS DISEASES (ANIMALS)  
(SWINE FEVER) BILL.

Lords' Amendments to be considered forthwith; considered and agreed to.

METROPOLIS MANAGEMENT (PLUMSTEAD AND HACKNEY) (*re-committed*) BILL.—(No. 432.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

REFORMATORY SCHOOLS BILL [*Lords*].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 457.]

House adjourned at five minutes before One o'clock.

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I N D E X  
TO  
THE PARLIAMENTARY DEBATES  
(AUTHORISED EDITION).

VOLUME XVI. FOURTH SERIES.

NINTH VOLUME OF SESSION 1893.

EXPLANATION OF ABBREVIATIONS.

Bills, Read 1 <sup>a</sup> , 1 <sup>o</sup> , 2 <sup>a</sup> , 2 <sup>o</sup> , 3 <sup>a</sup> , 3 <sup>o</sup> . Read the First, Second, or Third Time.	A. Answers. c. Commons. Com. Committee. com. Committed. Intro. Introduction. l. Lords. Obs. Observations.	Pres. Presented. Q. Questions. Rep. Reported. R.P. Report Progress. Reso. Resolutions.
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CIVIL SERVICE	LAW AND JUSTICE AND	SCOTLAND
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1. Com. ; Reported ; Standing Com. negatived Aug 22, 750

Read 3<sup>a</sup>, and passed Aug 24, 936

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*l. Royal Assent Aug 24, 925*

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Lord Advocate—Mr. J. B. BALFOUR

Solicitor General—Mr. ALEXANDER ASHER

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*Forrester, Mr., J.P.*, Q. Mr. J. Wilson (Govan) ; A. Sir G. Trevelyan Aug 31, 1565

*Fort George Water Supply*, Qs. Mr. W. Whitelaw ; As. Mr. Campbell-Bannerman Aug 25, 1108 ; Aug 28, 1205

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*Glasgow Telephone Question*, Q. Mr. C. Corbett ; A. Mr. A. Morley Aug 22, 768 ; Q. Mr. Parker Smith ; A. Mr. A. Morley Aug 24, 954

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*St. Kilda. Gunboats Visits to*, Q. Dr. Macgregor ; A. Sir U. Kay-Shuttleworth Aug 25, 1076

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c. Con. in Com. ; Reported Aug 17, 506

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Read 3<sup>o</sup>, and passed Aug 24, 1068

l. Read 1<sup>o</sup> Aug 28, 1199

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c. Con. in Com. ; Read 3<sup>o</sup>, and passed Aug 16, 400

l. Read 1<sup>o</sup> Aug 22, 751

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## Franco-Siamese Question

Q. and Obs. Lord Lamington, Earl of Rosebery Sept 4, 1856

*British Interests*, Qs. Mr. Curzon, Sir R. Temple ; As. Sir E. Grey Aug 31, 1581 ; Qs. Sir R. Temple, Mr. G. Bowles ; As. Sir E. Grey Sept 4, 1880

*British War Vessels at Bangkok*, Qs. Mr. Curzon ; As. Sir E. Grey Aug 21, 640 ; Aug 24, 954 ; Q. Sir E. Ashmead-Bartlett ; A. Sir U. Kay-Shuttleworth Sept 1, 1713

*Chantaboon—Throwing up Earthworks*, Q. Sir C. Dilke ; A. Sir E. Grey Aug 31, 1557

*Independence of Siam*, Q. Sir R. Temple ; A. Sir E. Grey Aug 31, 1571

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*Bengazi*, Qs. Mr. Snape ; As. Sir E. Grey Aug 11, 14 ; Aug 28, 1207

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*Egypt*, Q. Mr. S. Smith ; A. Sir E. Grey Aug 11, 14

*Zanzibar*, Q. Mr. J. W. Lowther ; A. Sir E. Grey Aug 31, 1557

## Small Holdings Act

Q. Mr. J. Collings ; A. Mr. Mundella Aug 25, 1080

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**SOLICITOR GENERAL—Sir J. RIGBY****SPAIN***Commercial Treaty*, Q. Sir E. Hill ; A. Sir E. Grey Aug 22, 752**Speaker, The (RIGHT HON. ARTHUR WELLESLEY PEEL), Warwick and Leamington****MISCELLANEOUS RULINGS**

Aug 15, 305, 326, 329 ; Aug 16, 343, 350, 360 ;  
 Aug 17, 507 ; Aug 21, 645, 683, 691 ;  
 Aug 22, 770, 835, 850 ; Aug 23, 883, 901,  
 905, 907, 909 ; Aug 24, 958 ; Aug 25, 1070,  
 1102, 1156, 1157

**PETITIONS**

As to whether there were any means of bringing up the question of contempt of Parliament by forging Petitions, the Speaker said that that was a matter for the opinion of the House. If the Member brought it before the House, it would be for the House to take notice of it. It ought to be brought forward at the commencement of Business. It appertained to the privileges of the House. The Chairman of the Committee, or any Member of the Committee, might bring it forward. In the first instance it was left to the Committee ; but it was open to any other gentleman, on a Report being presented to the House, to take any action he might think proper. It was entirely within the discretion of the Committee whether they took any action. As it affected the privileges and the right of petitioning the House the Speaker thought the matter might be brought up at any time Aug 30, 1531

**QUESTIONS**

The Member spoke to the Speaker about the question ; and the Speaker said that if what was stated in the question was a statement of fact, and had been made on Oath, he could not prevent it being put in the question. And the Speaker thought that the Member (Mr. T. W. Russell) was fully entitled to make any personal explanation he wished after the question had been put Aug 25, 1084

It was a question relating to some local religious squabble, and was not a proper matter to be brought before the House Aug 25, 1098

**SPEAKER, THE—Questions—cont.**

It was out of Order to ask why the Government had dealt unjustly with a certain class of workmen Aug 25, 1104

Hypothetical questions were out of Order Sept 1, 1732

**RULES AND ORDER OF DEBATE****New Clauses and Amendts.—Consideration as Amended, Government of Ireland Bill**

The question of Boundary Commissioners had been considered. Something had passed between the Member who moved the clause and the Government, and the Government had expressed their intention of bringing up an Amendt. later on. But, in any case, the Member could not bring forward the question of Boundary Commissioners at that stage. The Speaker invited the Government to state what they proposed to do. It was not in Order for the right hon. Gentleman to discuss the question of the Schedule, but he could say that there would be a period of the Bill when he would introduce an Amendt. to carry out the principle of single - Member constituencies. That would be the time to consider the matter, as against the Schedule, as it stood at present. Everything beyond that was out of Order. As to the questions on what part of the Bill could the scheme be introduced, and how could the clause embodying such scheme be introduced at a later stage of the Bill when the Member who moved it then was out of Order, the Speaker said : If he ruled the Member out of Order in discussing the question then, he would have to give the same ruling in regard to the Boundary Commission which the Government indicated that they might propose to the House. The difficulty might be got over by re-committing the Bill for the purpose of dealing with the Boundary Commissioners. Unless it were shown that the possible scheme of the Government would differ from the boundary scheme in the Member's clause, the Speaker would have to rule it out of Order.

The distinction was very fine between appointing Boundary Commissioners under the Bill and proceeding by Order in Council, because the Commissioners would be named by Order in Council in any case. The point was one as to which the Speaker would not like to commit himself to a final opinion without further consideration.

A Member suggested a course which would take the Boundary Commissioners out of the appointment of the House, and the Speaker thought such a course might be adopted.

The discussion was irregular, but the Speaker thought it his duty to permit it for the sake of convenience. There would be plenty of time to put down Amendts. upon the clause, and before

**SPEAKER, THE—Rules and Order of Debate**  
—cont.

the time arrived the Government might say what they would do Aug 11, 33, 35, 36, 37

The Member might state on the clause (Imperial Officers) what he desired to have done; that was, the appointment of military officers for the purpose of dealing in Ireland with billeting, the balloting for the Militia, the impressment of carriages, and so on. But the policy of maintaining the Army in Ireland was quite another matter, and the Member was not in Order in dealing with it Aug 11, 76

The clause could be properly moved as a separate clause, and not simply as an Amendt. to a clause Aug 11, 92

The New Clause (Elections not to be held on Sunday) was out of Order, as Sunday elections had been excluded in the Ballot Act. But the matter might be raised on the Sixth Schedule Aug 14, 190

It was not quite relevant to the clause to go into matters of bygone history Aug 14, 193

The Clause was out of Order; the objections to it were that it was *ipso facto* legislation—that it was a disqualifying section sought to be introduced into a Bill which contained no other disqualification, and that it would require an Instruction to make it in Order Aug 15, 257

The Speaker did not think the clause was out of Order, or that it would require an Instruction Aug 15, 285

On Report the whole Bill was open to review; but a Second Reading discussion extended the limits of discussion to an unusual degree. The discussion should be confined to those parts of the Bill which were not discussed in Committee. The Member was within his right in discussing the Preamble, but if the whole Bill were considered it would be a violation of the Standing Order, No. 40, which said that when a Bill was brought up on Report the House proceeded at once to consider the clauses of the Bill without general discussion of the Bill as a whole. The Preamble was, to all intents and purposes, a clause, and should be considered as such, and the discussion upon it should be as much confined to it as discussion on a clause. The Member, therefore, was only in Order in discussing the Preamble as if it were a clause of the Bill Aug 15, 293, 294, 295, 297

The point before the House was the question of a Second Chamber, and the Member would not be in Order in discussing the qualification of the electors, or the sufficiency of their numbers. The Speaker had no cognisance of the Debate which took place in Committee; the only restriction he could lay down was that the Member should confine himself to the erection of a Second Chamber Aug 15, 322

[cont.

**SPEAKER, THE—Rules and Order of Debate**  
—cont.

The words could not be moved then, as they would come before the Amendt. already before the House. An Amendt. could only be withdrawn with the consent of the House Aug 23, 902, 908

The practice was not to refer to previous Debates on other subjects in the same Session; but it was in Order to refer to previous Debates on the same subject. It was a question of degree Aug 17, 445

It was not relevant to the matter before the House what the electors understood when they elected a Member Aug 23, 898

A Member gave for his reason for supporting the Motion for the rejection of the scheme the exclusion of Lampeter College; therefore, the Speaker could not stop the Member from referring to that point Aug 29, 1451

A Member gave notice that on the Expiring Laws Continuance Bill in Committee he would move to leave out certain clauses, but the Speaker entertained grave doubts as to the regularity of such a course Aug 31, 1586

**Speaker, The**

*Indisposition of, Aug 18; Sept 4*

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**STANHOPE, Right Hon. E., Lincolnshire, Horncastle**

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Read 2<sup>o</sup> Aug 15, 340

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**STRACHEY, Mr. E., Somerset, S.**

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**STUART, Mr. J., Shoreditch, Hoxton**

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*Post Office Vote*, Q. Mr. H. Heaton; A. Mr. A. Morley Aug 25, 1081

**Supreme Court of Judicature Bill**

c. Read 1° Aug 22, 860

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